REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, January 7, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Commissioners absent: Soda - 1

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Deputy Port Attorney Richard Griffin; Chief Engineer; Assistant Chief Engineer; Director of Aviation; Airport Manager; North Field Commercial Representative; Manager, Properties Department; Employee Relations Officer; Equal Opportunity Employment Officer; Director of Public Relations; and Secretary of the Board.

Visitors attending the meeting included Mr. A. J. Bugni and Mr. R. D. Nordstrom, representing Western Pacific Railroad Company; Mr. Robert Branaugh, representing Branaugh Excavating, Inc.; and Mr. Ed Lickiss, representing the Oakland Strokes.

At the hour of 2:05 p.m. the Board held a public hearing on the application of Merritt Ship Repair Company, to place new piling and to perform other work in connection with the construction with a launching facility for the Oakland Strokes, a crew racing training organization. There was no testimony in opposition to the project and the Board considered the report of the Executive Director.

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The hearing was closed at the hour of 2:10 p.m. and the application was approved on passage of Resolution No. 22996 for fill work, and Resolution No. 22997 for construction work.

Report on Application to Fill Water Area in Port Area Leased to Seabreeze Yacht Center Inc. was the subject of a memo to the Board from from the Port Environmental Planner, recommending that the public hearing on their application, originally scheduled for the meeting, be continued until February 4, 1976, at the hour of 2:00 p.m. The recommendation was approved on a motion by Commissioner Berkley, seconded and passed unanimously.

Reimbursement to FAA for Navigational Aid Restoration Due to World Hangar was the subject of a memo to the Board from the Assistant Chief Engineer, notifying the Board that the construction of the World Airways hangar affected the operation of certain airport navigational aids and that the FAA would expect the Port to pay certain costs in restoring these aids to acceptable performance standards. It was recommended that the Port reimburse the FAA in the amount of $7,224.80 for the cost associated with installing new directional antennas for the ILS glide slope navigational aid. The recommendation was approved on passage of Resolution No. 22994.

Security Coverage at Metropolitan Oakland International Airport in Lieu of Contract Service was the subject of a memo to the Board from the Airport Manager, notifying the Board of the security coverage to be provided at the Airport. It was noted that the majority of the patrolling would be accomplished by qualified crash/rescue men, however, during an emergency situation they would be utilized for their primary mission. The information was noted and ordered filed.

Contract Completion Demolition of Old Control Tower was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with Nor-Cal Demolition be accepted as complete as of December 23, 1975 at a contract price of $4,485.00. The recommendation was approved on passage of Resolution No. 22995.

License Agreement Renewal--Gibbs Lease Air, Inc. was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a new license agreement for their space in Buildings L-731 and L-908, for use in their air courier service at a new monthly rental of $1,096.91. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Purchase of Castaway Building was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the Port has the option to purchase the Castaway Restaurant building and that negotiations have been held with Specialty Restaurants on the purchase price. It was recommended that the Board approve in principle the exercise of the Port's option to purchase the Castaway Restaurant building at a purchase price of $93,613.04. After discussion, the recommendation was approved on a motion by Commissioner Connolly, seconded and passed on the following vote: Ayes, Commissioners Berkley, Connolly, Gainor and Lange - 4; Noes, Commissioner Walters - 1; Abstained, Commissioner Mortensen - 1; Absent, Commissioner Soda - 1.

Changes in Port Building Tenancies--Jack London Square was the subject of a memo to the Board from the Manager, Properties Department. The item was held over for the next meeting of the Board.

Brokerage Commission--Grubb & Ellis was the subject of a memo to the Board from the Manager, Properties Department, recommending that the Board authorize the payment of $7,889.83 to Grubb & Ellis Commercial Brokerage Company for services in connection with the lease with Mr. David G. Robbins in the development of the new Cost-Plus Import store. The recommendation was approved on passage of Resolution No. 22998.

New License Agreement-Hutchison was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for W. H. Hutchison & Sons, Inc., to occupy Buildings P-111 and P-118 on the Embarcadero in connection with their oil-spill clean-up business. The property would be used for an office and yard storage with a monthly rental of $613.31 per month. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously, subject to the condition that the arrangement will be immediately cancelled if the aesthetic appearance of the site is not maintained satisfactorily.

Removal of Sign--Standard Oil was the subject of a memo to the Board from the Manager, Properties Department, recommending execution of a "Property Owner's Consent" for Standard Oil to have the future right to remove a sign and pole at the Oakland Marina, a Port tenant. The recommendation was approved on passage of Resolution No. 22999.

License Agreement Renewal--Golden Gate Trucking was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a new license agreement for Buildings J-326, J-327, J-328, J-329, J-334, and J-335, with 60,390 square feet of adjacent land area for a new monthly rental of $1,654.80. The recommendation was approved on a motion by

Commissioner Lange, seconded and passed unanimously.

Contract Completion Redredging of Berths D and E, Seventh Street Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with Bohemia, Inc., Umpqua Division be accepted as complete as of November 24, 1975, at a contract price of $58,879.08. The recommendation was approved on passage of Resolution No. 23000.

Contract Completion Demolition of Buildings at Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with Thomas D. Eychner Demolition Company be extended through December 12, 1975 without liquidated damages and the contract be accepted as complete as of that date with a contract price of $9,240.00. The recommendation was approved on passage of Resolution No. 23001 for time extension, and Resolution No. 23002 for accepting the contract.

Building Permit Application for the Construction of a Truck and Equipment Maintenance Facility--Western Pacific Railroad Company was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of a maintenance facility at their location in the Middle Harbor Terminal. The project would consist of a prefabricated metal building to house a truck repair area, office, restroom facility, and parts storage area. Additional work would include the paving of a 6,000 square foot area; installation of a drainage system; installation of oil separation system with oil sump and 350 gallon oil holding tank; installation of electrical wiring and lighting; and installation of perimeter security fencing. Previously approved in principle by the Board was an amendment to their lease to provide

for this facility. The estimated cost of the work is $60,000.00. The Environmental Impact Report was attached with a negative declaration finding. The recommendation was approved on passage of Resolution No. 23003 amending the lease, and Resolution No. 23032 for the building permit.

Amendment to Assignment Berth 5 - Outer Harbor Terminal was the subject of a memo to the Board from the Traffic Manager and Manager, Marine Terminals, recommending approval to amend the Port's tariff to provide for the conditions of use for the new oil transfer facility at Berth 5. The recommendation was approved on an ordinance passed to print.

Agreements with PG&E for Undergrounding Electrical and Gas Facilities in Ferry Street, Outer Harbor Terminal was the subject of a memo to the Board from the Supervising Electrical/ Mechanical Engineer, recommending the execution of an agreement to provide for the utility work and necessary easements for the improvements to be done in connection with the development of the Outer Harbor. The recommendation was approved on passage of Resolution No. 23033.

Award of Contract for Reconstruction of Railroad Track, Outer Harbor was the subject of a memo to the Board from Port Supervising Engineering J. L. Lambert, notifying the Board of the seven bids received and recommending award of the contract to the Branaugh Excavating Company, the low bidder at $621,877.95. The recommendation was approved on passage of Resolution No. 23004.

Sale of Scrap Copper was the subject of a memo to the Board from the Manager, Purchasing Department, recommending approval to sell accumulated scrap copper. The recommendation was approved on passage of Resolution No. 23005.

Specifications and Authority to Advertise for Bids for Furnishing and Delivering 11 Transceiver Radios was the subject of a memo to the Board from the Manager, Purchasing Department, recommending their approval and authority to advertise for bids. The recommendation was approved on passage of Resolution No. 23006.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of the Traffic Manager and Manager, Marine Terminals Department to Portland, Oregon, on or about January 6, 1976, to attend meetings on certain tariff committees; and to Houston, Texas, on or about January 8, 1976, for marine trade purposes; and the travel of the Executive Director to Washington, D. C., on or about January 18, 1976, to attend a meeting of the National Transportation Policy Committee of the American Society of Civil Engineers. The recommendation was approved on passage of Resolution No. 23007.

Certificate of Completion, Portable Light Tower was the subject of a memo to the Board from the Manager, Purchasing Department, recommending that the contract with Electro-Motion Pacific, Inc., be extended through December 3, 1975, and accepted as complete as of that date with a contract price of $8,828.00. The recommendation was approved on passage of Resolution No. 23008 for extending time, and Resolution No. 23009 for accepting contract.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Jane E. Dietmeyer as Senior Secretary, effective January 8, 1976, at $912 per month; and Thomas Ashland as Youth Aide Class "C", effective January 8, 1976, at $4.64 per hour. Also recommended was the termination of employment for Leonard Hester, Jr., C.E.T.A. Draftsman Aide, effective January 8, 1976; and Rod Curtain, Port

Traffic Representative, effective January 8, 1976. Further recommended was the leave of absence for Jacqueline M. Miles, for ten calendar days without pay. The recommendation was approved on passage of Resolution No. 23010 for appointments, Resolution No. 23011 for the termination of Leonard Hester, Jr., Resolution No. 23012 for the termination of Rod Curtain, and Resolution No. 23013 for granting leave of absence.

Contract Completion, Refrigerator Receptacles was the subject of a memo to the Board from the Manager, Purchasing Department, recommending that the contract with Beck Electric Supply Company be extended through December 17, 1975 and the contract be accepted as complete as of that date, with a contract price of $16,438.40. The recommendation was approved on passage of Resolution No. 23014 for time extension, and Resolution No. 23015 for accepting contract.

Claim of R.E.G., Incorporated was the subject of a letter to the Board from the Port Attorney, notifying the Board of a claim and amended claim submitted by the R.E.G. Company for alleged damages resulting from failure of the Port to award a contract to R.E.G. Company. It was recommended that the amended claim be rejected as it is not a proper charge against the Port and is not sufficient under the law. The recommendation was approved on passage of Resolution No. 23016.

United States of America v. The City of Oakland; The Board of Port Commissioners for the City of Oakland; Port Petroleum Company, Inc.; Purity Oil Sales, Inc.; Economy Refining Service Company, Inc.; d/b/a Pacific Petroleum Company; and Michael D. Marcus, United States District Court for the Northern District of California Civil Action File No. C 75 2684 LHB was the subject of

a letter to the Board from the Port Attorney, notifying the Board that the United States Government has filed to recover $1,252,000.00 which is alleged to be the cost involved in cleaning up the oil spill in the Estuary in January, 1973. The action is in addition to a State action presently before the Supreme Court. It was recommended that the Port retain Gerald P. Martin, Jr. as special counsel to assist in defense of the federal action. It was also recommended that the Board authorize the Port Attorney to file a cross-complaint for indemnity against the defendants Port Petroleum Company, Purity Oil Sales and Michael D. Marcus. The appointment of special counsel was approved on a motion by Commissioner Berkley, seconded and passed unanimously, and authority to file a cross-complaint was approved on passage of Resolution No. 23017

Mr. William Schuler, representing himself, appeared before the Board to appeal a decision of the Executive Director. The Port Attorney informed the Board that the matter was presently under litigation in the courts, and that further discussion on the matter was not warranted. President Mortensen informed Mr. Shuler that he could, upon his insistence, appeal directly to the City Council.

At the hour of 2:45 p.m., the Board entered into executive session with the Port Attorney and reconvened in open session at the hour of 3:50 p.m.

The following written reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of January 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of December 29, 1975.

Summary of Claims Paid from Various Funds for the period December 8, 1975 through December 22, 1975.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Noes: None

Absent: Commissioner Soda - 1

"RESOLUTION NO. 22994

RESOLUTION AUTHORIZING REIMBURSEMENT OF FEDERAL AVIATION ADMINISTRATION FOR COST OF RESTORING NAVIGATIONAL AIDS UPON CONSTRUCTION OF WORLD AIRWAYS HANGAR."

"RESOLUTION NO. 22995

RESOLUTION ACCEPTING WORK PERFORMED BY NOR-CAL DEMOLITION AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 22996

RESOLUTION GRANTING PERMIT TO OAKLAND STROKES TO PERFORM CERTAIN FILL IN THE INNER HARBOR."

"RESOLUTION NO. 22997

RESOLUTION GRANTING OAKLAND STROKES PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 22998

RESOLUTION APPROVING AND AUTHORIZING PAYMENT OF REAL ESTATE BROKERAGE COMMISSION TO GRUBB AND ELLIS COMMERCIAL BROKERAGE COMPANY."

"RESOLUTION NO. 22999

RESOLUTION AUTHORIZING EXECUTION OF PROPERTY OWNER'S CONSENT TO MARINE DEALER AGREEMENT BETWEEN OAKLAND MARINA AND STANDARD OIL COMPANY OF CALIFORNIA, WESTERN OPERATIONS, INC."

"RESOLUTION NO. 23000

RESOLUTION ACCEPTING WORK PERFORMED BY BOHEMIA, INC., UMPQUA DIVISION, AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23001

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH THOMAS D. EYCHNER DEMOLITION CO."

"RESOLUTION NO. 23002

RESOLUTION ACCEPTING WORK PERFORMED BY THOMAS D. EYCHNER DEMOLITION CO. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23003

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH THE WESTERN PACIFIC RAILROAD COMPANY AND DIRECTING RECORDATION THEREOF AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH."

"RESOLUTION NO. 23004

RESOLUTION AWARDING CONTRACT TO BRANAUGH EXCAVATING, INC., FOR RECONSTRUCTION OF OUTER HARBOR RAILROAD TRACKS, OUTER HARBOR TERMINAL; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23005

RESOLUTION AUTHORIZING SALE OF SCRAP COPPER."

"RESOLUTION NO. 23006

RESOLUTION APPROVING SPECIFICATIONS TO FURNISH AND DELIVER ELEVEN (11) RADIO TRANSCEIVERS TO THE PORT OF OAKLAND AND CALLING FOR BIDS THEREOF."

"RESOLUTION NO. 23007

RESOLUTION CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 23008

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH ELECTRO-MOTION PACIFIC, INC."

"RESOLUTION NO. 23009

RESOLUTION ACCEPTING WORK PERFORMED BY ELECTRIC-MOTION PACIFIC, INC."

"RESOLUTION NO. 23010

RESOLUTION APPROVING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23011

RESOLUTION TERMINATING APPOINTMENT OF LEONARD HESTER, JR."

"RESOLUTION NO. 23012

RESOLUTION TERMINATING APPOINTMENT OF ROD CURTAIN."

"RESOLUTION NO. 23013

RESOLUTION GRANTING LEAVE OF ABSENCE TO JACQUELINE M. MILES, INTERMEDIATE TYPIST CLERK."

"RESOLUTION NO. 23014

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH BECK ELECTRIC SUPPLY, A DIVISION OF DAHL-BECK ELECTRIC."

"RESOLUTION NO. 23015

RESOLUTION ACCEPTING WORK PERFORMED BY BECK ELECTRIC SUPPLY, A DIVISION OF DAHL-BECK ELECTRIC."

"RESOLUTION NO. 23016

RESOLUTION REJECTING CLAIM OF R.E.G., INCORPORATED."

"RESOLUTION NO. 23017

RESOLUTION AUTHORIZING THE PORT ATTORNEY TO FILE CROSS-COMPLAINT AGAINST PORT PETROLEUM CO., INC., PURITY OIL SALES, INC., AND MICHAEL D. MARCUS."

"RESOLUTION NO. 23018

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH AUTOMATED ENTERPRISES."

"RESOLUTION NO. 23019

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH ERICKSEN, ERICKSEN, LYNCH, MACKENROTH AND ARBUTHNOT, INC., AND AUTHORIZING RECORDATION THEREOF."

"RESOLUTION NO. 23020

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH PEABODY BARNES, INC., AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23021

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH VIRGIL MARTIN."

"RESOLUTION NO. 23022

RESOLUTION APPOINTING AND EMPLOYING SPECIAL COUNSEL."

"RESOLUTION NO. 23023

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH JOHN R. WENDT."

"RESOLUTION NO. 23024

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH BLUNT, SINNOTT & ASSOCIATES, INC."

"RESOLUTION NO. 23025

RESOLUTION APPROVING BOND OF ABBEY PRESS, INC."

"RESOLUTION NO. 23026

RESOLUTION APPROVING BONDS OF BAR FENCE COMPANY."

"RESOLUTION NO. 23027

RESOLUTION APPROVING BONDS OF OLIVER DE SILVA, INC."

"RESOLUTION NO. 23028

RESOLUTION APPROVING BONDS OF J. H. FITZMAURICE, INC."

"RESOLUTION NO. 23029

RESOLUTION APPROVING BONDS OF JENSEN AND REYNOLDS CONSTRUCTION COMPANY."

"RESOLUTION NO. 23030

RESOLUTION AUTHORIZING COMPROMISE AND SETTLEMENT OF CLAIM OF H. F. LAURITZEN, INC."

"RESOLUTION NO. 23031

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23032

RESOLUTION GRANTING THE WESTERN PACIFIC RAILROAD COMPANY PERMISSION TO PERFORM CERTAIN WORK."

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Connolly, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Abstained: Commissioner Berkley - 1

Absent: Commissioner Soda - 1

"RESOLUTION NO. 23033

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH PACIFIC GAS AND ELECTRIC COMPANY TO INSTALL FACILITIES OR PERFORM OTHER WORK."

Port Ordinance No. 1974 being, "AN ORDINANCE REPEALING PORT ORDINANCE NO. 1557", and Port Ordinance No. 1975 being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH THE FLASHER COMPANY AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 1976 being, "AN ORDINANCE AMENDING SECTIONS 2.01, 5.03 AND 5.04 OF PORT ORDINANCE NO. 867 ADOPTING NEW SALARY SCHEDULE NO. 43.1, CREATING ONE ADDITIONAL POSITION OF SENIOR SECRETARY AND ABOLISHING ONE POSITION OF INTERMEDIATE STENOGRAPHER-CLERK", and Port Ordinance No. 1977 being, "AN ORDINANCE NO. 1117 RELATING TO THE BERTHING OF VESSELS AT NON-OPERATIVE MARINE TERMINAL FACILITIES", and Port Ordinance No. 1978 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO DOCKAGE, WHARFAGE AND WHARF ASSIGNMENTS", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Noes: None

Absent: Commissioner Soda - 1

Port Ordinance No. _____ being "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO WHARF ASSIGNMENTS", was read a first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Noes: None

Absent: Commissioner Soda - 1

At the hour of 3:55 p.m., on a motion duly made and seconded, the meeting was adjourned.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, January 21, 1976, at the hour of 2:16 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Connolly, Gainor, Lange, Soda, Walters and President Mortensen - 7

Commissioners Absent: None

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Chief Engineer; Assistant Chief Engineer; Director of Aviation; Airport Manager; Manager, Properties Department; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. Gerry Rodriguez, representing T & R Excavators; Mr. Vince Tong, representing Traction International; and Mr. James Knight, observing the meeting.

The minutes of the regular meeting of December 17, 1975 and the adjourned regular meeting of January 5, 1976 were approved as submitted and ordered filed.

Contract Completion - Demolition of Building C-221, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, notifying the Board that T & R Excavators, the contractor, completed the work 21 days beyond the completion date, as the company chose to salvage a great deal of the material rather than demolish the structure by more expedient methods. It was recommended that the contract be extended one day

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APPROVED AS SUBMITTED
AND ORDERED FILED

only and that liquidated damages in the amount of $2,100 be assessed, the contract be accepted as complete as of December 29, 1975, and the contractor paid $3,800 as full payment for the work. Mr. Gerry Rodriguez, representing T & R Excavators, appeared before the Board to request that the damages not be assessed, as the amount was too large and the complete project was not delayed. After discussion, the recommendation of the Engineering Department was approved on passage of Resolution No. 23059 for time extension and Resolution No. 23060 for accepting the contract.

Reissue of North Airport Security Badges, Metropolitan Oakland International Airport was the subject of a memo to the Board from the Airport Manager, notifying the Board that the new security gating and related locking devices required the replacement of the access badges. The Airport's Federal Aviation Administration's manual will be amended to include the following new controls: The holders of badges will be required to account for their badges every six months. All badges and keys will be replaced and changed according to the following guidelines: At least every four years or when unaccounted for badges exceed five percent; or when in the judgment of Airport management unusual security threat situations or significantly compromised badge situations exist. The information was noted and ordered filed.

Proposed Ready-Car Lease--Dollar Rent-A-Car was the subject of a memo to the Board from the Manager, Properties Department, recommending approval of a lease for the car rental company for space in the ready car lot, now jointly used by Avis, Hertz and National Car Rental companies. The addition to the lot would include 27 stalls at $24 per stall a month, for a total monthly rent of $648. The lease would terminate in June, 1979, at which time the entire lot would be reviewed for future use and operations.

The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of an ordinance passed to print.

Plans and Specifications for Construction of Addition to Rental Car Ready and Check-In Lot, Metropolitan Oakland International Airport was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the 27 additional auto parking stalls in the existing Rental Car Ready and Check-In Lot. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23056.

Additional Ramp Area--U.S. Air Force was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to add additional ramp area to their lease, which is used only on an as needed basis. The new total rental would be $140 per day if used, with a maximum annual use of 45 days. It was noted that the ramp area was not used to date. The recommendation was approved on passage of Resolution No. 23035.

Changes in Port Building Tenancies--Jack London Square was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of current changes in the present tenancies and of current negotiations with the present tenants. Basic to the changes are: Pier 1 Imports, a termination of their storage area lease as of January 30, 1976; U.S. Customs will relocate to a portion of the present Pier 1 storage area facing on Embarcadero; Johnson & Joseph would occupy part of the present Pier 1 storage space for a new storage space for their use, with additional remodeling of their main entrance; and the converting of the present U.S. Customs area to additional retail space. The remaining space in the present Pier 1 storage area would be leased

to Sabnani's Hong Kong Tailors, for a retail tailor shop. It was recommended that the Board approve in principle a new 5-year lease to cover approximately 1,130 sf of substitute office space for U.S. Customs at $791 per month, and expansion of the Johnson & Joseph retail and storage space with certain increased rentals and the amortization of certain Port costs in remodeling the store entrance, and a new 5-year lease with Sabnani's Hong Kong Tailors at a minimum rental of $360 per month, subject to review and adjustment at the end of the first 30 months. The combined expense to the Port would be approximately $51,000, with new and increased rentals estimated at $95,000 during the next 5 years. After considerable discussion, the recommendation was approved on a motion by Commissioner Lange, seconded and passed on the following vote: Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6; Noes: Commissioner Soda - 1. Commissioner Soda moved that the Real Estate Committee review and prepare a policy to be adopted by the Board which would set forth the provisions for a retail space addition for existing tenants. The motion was seconded and passed unanimously.

Hold Harmless Agreement and Liability Insurance--Oakland Strokes was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board, in response to a request of Commissioner Walters, that the Board's policy is to obtain a hold harmless agreement and appropriate liability insurance from all occupants of Port property. In the case of nonprofit organizations which have little or no assets, the hold harmless agreement offers little protection and the principal protection to the Port is provided by the required liability insurance. After discussion, the information was duly noted and ordered filed.

Approval of Subleases--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department,

recommending approval of subleases to Thomas G. Luciani and Martha A. Grames to operate a bath accessories and cosmetics shop; Thomas M. and Kathleen I. Jones, to operate a toys and children's games shop; and John E. Maghetti to operate a southeast Asian import shop. The recommendation was approved on passage of Resolution No. 23036.

At the hour of 3:15 p.m. Commissioner Berkley was excused from the meeting.

Modification of Accounting Provisions in Lease was the subject of a memo to the Board from the Manager, Properties Department, recommending approval in principle to amend the Marriott in-flight catering lease to allow the submittal of annual statements to the Port by Marriott's chief financial officer in lieu of the present requirements which call for a statement from an independent accountant or tax preparer. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

At the hour of 3:17 p.m. Commissioner Berkley rejoined the meeting.

Approval of Restaurant Sublease--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval of a sublease between Oakland Village Corporation and Candlestick Waterfront Restaurant Corporation, a wholly-owned subsidiary of Specialty Restaurants Corporation, and to the type and quality of the food and beverage operation. During discussion, the Port Attorney notified the Board that under the conditions of the lease the restaurant operator could curtail the hours of operation as business warranted. The Executive Director notified the Board that he would write to the restaurant operator, notifying them that he was concerned with the operating hours of the Sophie Sutherland Restaurant. The sublease was approved on passage of Resolution No. 23061.

Purchase of Leasehold Interest--Marco Polo was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that negotiations have taken place with the Marco Polo Corporation for the purchase of its leasehold interest, on the first floor of the Port building. It was recommended that the Board approve in principle the purchase of the leasehold interest, effective January 31, 1976, at a purchase price of $158,000, which includes all furniture, fixtures, and certain equipment. Marco Polo would retain all liquor and food supplies and its liquor license. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Building Permit Applications from Oakland Village Corporation for Interior Alterations to Subleased Premises in Jack London Village was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements for: "The Printed Page", "The Ancient Grudge", the Village Corporation's "Audit Office", "Let's Play Store", and "The Rubber Ducky". The total cost of the improvements is $14,000. An environmental impact report for the area was previously considered by the Board. The recommendation was approved on passage of Resolution No. 23037.

Approval of Sublease--Mardeco was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a sublease between Mardeco and The Neptune Society of Oakland for certain office space in their building. The recommendation was approved on passage of Resolution No. 23038.

License Agreement Renewal--Montgomery Ward was the subject of a memo to the Board from the Assistant Properties Manager, recommending approval for a one-year agreement for their import warehouse and office space in Buildings B-103, B-104, and B-105 at the Outer Harbor, for a new total monthly rental of $16,291.85. The

recommendation was approved on a motion by Commissioner Lange, seconded and passed, with Commissioner Soda abstaining.

License Agreement Renewal--Oakland International Warehouse was the subject of a memo to the Board from the Assistant Manager, Properties Department, recommending approval for a new one-year license agreement for their space in Building B-105 for use as a private and custom-bonded warehouse, at a total monthly rental of $1,285.05. The recommendation was approved on a motion by Commissioner Lange, seconded and passed, with Commissioner Soda abstaining.

Approval of Sublease--Commercial and Industrial Supply Co. was the subject of a memo to the Board from the Manager, Properties Department, recommending approval of a sublease to U. S. Land Sales and Development Company and subsequent assignment to Wildwood at their building on Oakport Street. It was noted that the sublease was not presented to the Board at the beginning of its term. The recommendation was approved on passage of Resolution No. 23057.

Building Permit Application, Traction International (Port Building J-215 A), 1990 Embarcadero was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements to provide a storage space for machinery parts. The estimated cost of work is $400. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23055.

Contract Completion, Reroofing of Building J-215A at Embarcadero and Livingston Streets was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with Fidelity Roof Company be accepted as complete as of November 29, 1975, at a contract price of $8,995.00. The recommendation was approved on passage of Resolution No. 23039.

Request for Approval of Subcontractors for Construction of Concrete Wharf, Berths 2, 3 and 4, Outer Harbor Terminal was the subject of a memo to the Board from the Assistant Chief Engineer, notifying the Board that the bid submitted by Santa Fe Pomeroy contained a discrepancy in the listed subcontractors for the work to have been done, based on the award of the contract under Alternate A. It was recommended that the Board approve the use of subcontracting work by Gallagher & Burk for excavation and backfill and by D & J Electric, for electrical work, as a 6 to 8 month delay would be necessary for Santa Fe-Pomeroy to obtain the necessary licenses, personnel and equipment. The recommendation was approved on passage of Resolution No. 23040.

Approval for Assignment of Agreement with Lowney-Kaldveer Associates for Soils Engineering Services, Outer Harbor was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board that the firm providing soils services in connection with the Outer Harbor redevelopment has been dissolved. It was recommended that the Board approve the assignment of the agreement to Peter Kaldveer and Associates, the principle in charge of the Port's work. The recommendation was approved on passage of Resolution No. 23041.

Selection of Consulting Engineers for Design of Additional Improvements for APL and Seatrain, Middle Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board that American President Lines has recommended the firm of Jordan/Casper/Woodman/Dobson Architecture Structural Engineering, to design a 50,000 sf container freight station and 20,000 sf warehouse and storage building, as provided for in the Agreement on Additional Improvements with American President Lines and Seatrain. It was recommended that the Board authorize negotiation of an agreement with the firm for the work.

The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Port of Oakland Tariff Changes, Assessment of Wharfage - Weight or Measure; Wharf Storage - Green Coffee was the subject of a memo to the Board from the Traffic Manager and Manager of Marine Terminals, recommending approval to amend the Port's tariff to provide a provision for the assessment of wharfage on a weight or measure basis, and to establish a rate of storage for green coffee. The recommendation was approved on an ordinance passed to print.

Contract Completion, Metal Canopy and Yard Improvements Ninth Avenue Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending the contract with O. C. Jones & Sons be extended without liquidated damages to January 13, 1976 and the contract be accepted as complete as of that date, at a contract price of $137,912.75. The recommendation was approved on passage of Resolution No. 23042 for time extension and Resolution No. 23043 for accepting the contract.

Horizons on Display, Bicentennial Program was the subject of a memo to the Board from the Executive Director, notifying the Board that the Port had submitted Seventh Street Marine Terminal to the Department of Housing and Urban Development and the American Revolution Bicentennial Administration, sponsors of a program to represent successful, on-going efforts to deal with community needs and community development. The project has been selected as one of the 200 "Horizons on Display". It was recommended that the Public Relations Director be authorized to travel to Washington, D. C. on or about January 28, 1976, to attend an orientation session and press conference announcing the program. The recommendation was approved on passage of Resolution No. 23044.

Personnel Items, contained in a memo to the Board from the Employee Relations Officer, recommended the appointment of Carol A. Wingerd as Youth Aide, Class "C", effective January 22, 1976, at $4.64 per hour; Rita L. Yalung as Accountant Auditor, January 22, 1976, at $1064 per month; Eberhardt H. Von Der Meden as Heavy Equipment Mechanic, effective January 22, 1976, at $1355 per month; Ralyne Nawman as Youth Aide, Class "A", effective January 22, 1976, at $5.93 per hour. Also recommended was a military leave of absence for Thomas Remus, Associate Engineer, for 13 working days. Further recommended was a salary increase for Airport Serviceman Stanley Kopacz to step "f" of salary schedule 43.1, in recognition of additional duties being performed. The recommendations were approved on passage of Resolution No. 23045 for salary increase, 23046 for military leave of absence and 23047 for appointments.

Travel Authorization, contained in a memo to the Board from the Executive Director, recommended the ratification of travel for the Traffic Manager and Manager, Marine Terminal Department, to Portland, Oregon, on or about January 15, 1976 to attend joint Pacific Coast Association of Port Authorities meeting and General Managers meeting; the travel of the Manager, Properties Department, to Denver, Colorado on or about February 13, 1976 to attend a one-day meeting of the International Property Management Committee of the American Right of Way Association; travel of the Senior Traffic Representative and Traffic Analyst to Chicago, Illinois, on or about January 20, 1976 to attend a public hearing of the Transcontinental Freight Bureau; and the travel of the Executive Director to Washington, D. C., on or about February 12, 1976 to attend the meeting of the Transportation Standing Committee of the Pacific Basin Economic Council and the United States National Comittee of the Pacific Basin Economic Council. The recommendation was approved on passage of Resolution No. 23044.

Destruction of Records was the subject of a memo to the Board from the Assistant to the Executive Director, recommending approval to amend Resolution No. 22726 to add the Assistant to the Executive Director or the Records Supervisor as individuals who may have the authority to destroy any record, document, instrument, book or paper of the Port of Oakland, upon prior written approval of the Executive Director or the Port Attorney. The recommendation was approved on passage of Resolution No. 23048.

Authorization of the Sale of Surplus Crash Fire Rescue Vehicles was the subject of a memo to the Board from the Manager, Purchasing Department, recommending that the Board authorize the receipt of informal bids to sell two (2) surplus crash fire rescue vehicles. The recommendation was approved on passage of Resolution No. 23049.

East Bay Boat Works was the subject of a letter to the Board from the Port Attorney, notifying the Board that the tenant is currently $2,106.47 in rent arrears, and that a three-day notice has been served with the tenant neither paying nor vacating the premises. It was recommended that the Board authorize the Port Attorney to file a complaint in unlawful detainer. The recommendation was approved on passage of Resolution No. 23050.

Agreements Nos. 9718-3 and 9731-5, Federal Maritime Commission Docket No. 75-30 was the subject of a letter to the Board from the Port Attorney, notifying the Board that the Marine Cooks and Stewards Union has petitioned the Federal Maritime Commission to disapprove and cancel these agreements which cover the operation of twelve containerships in the trade between the ports of Japan and California, with six of the lines using Port of Oakland facilities. It was recommended that the Board authorize the Deputy Executive Director and the Port Attorney to attend the scheduled hearings and provide testimony supporting the public

benefits received from the implementation of these agreements. The recommendation was approved on passage of Resolution No. 23051.

At the hour of 3:50 p.m. the Board entered into executive session and reconvened in open session at the hour of 5:10 p.m., at which time Commissioners Connolly and Soda were excused from the meeting.

The following written reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of January 13, 1976.

Accounts Receivable 35 Days or More in Arrears as of January 20, 1976.

Accounts Receivable Referred to the Port Attorney as of January 20, 1976.

Accounts Receivable - Other Departments as of January 14, 1976.

Summary of Cash and Accounts Receivable, Port Revenue Fund #801 for the month of December, 1975.

Summary of Claims Paid from Various Funds for the Period December 22, 1975 through January 6, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

"RESOLUTION NO. 23034

RESOLUTION COMMENDING CARL D. ARMSTRONG UPON HIS RETIREMENT."

"RESOLUTION NO. 23035

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH THE UNITED STATES OF AMERICA."

"RESOLUTION NO. 23036

RESOLUTION CONSENTING TO SUBLEASES BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23037

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23038

RESOLUTION CONSENTING TO SUBLEASE BY MARDECO, INC. TO THE NEPTUNE SOCIETY OF OAKLAND."

"RESOLUTION NO. 23039

RESOLUTION ACCEPTING WORK PERFORMED BY FIDELITY ROOF COMPANY AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23040

RESOLUTION CONSENTING TO SUBCONTRACTING OF CERTAIN WORK BY SANTA FE-POMEROY, INC. AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH."

"RESOLUTION NO. 23041

RESOLUTION GRANTING CONSENT TO ASSIGNMENT OF AGREEMENT FOR SOIL AND FOUNDATION ENGINEERING SERVICES FROM LOWNEY-KALDVEER ASSOCIATES, INC. TO PETER KALDVEER AND ASSOCIATES."

"RESOLUTION NO. 23042

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH O. C. JONES AND SONS."

"RESOLUTION NO. 23043

RESOLUTION ACCEPTING WORK PERFORMED BY O. C. JONES AND SONS AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23044

RESOLUTION CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 23045

RESOLUTION ASSIGNING STANLEY KOPACZ, AIRPORT SERVICEMAN, TO SCHEDULE 43.1, RATE "F", AS FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23046

RESOLUTION GRANTING MILITARY LEAVE OF ABSENCE TO THOMAS A. REMUS, ASSOCIATE ENGINEER."

"RESOLUTION NO. 23047

RESOLUTION APPROVING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23048

RESOLUTION AMENDING RESOLUTION NO. 22726 AUTHORIZING DESTRUCTION OF CERTAIN RECORDS OF THE PORT OF OAKLAND."

"RESOLUTION NO. 23049

RESOLUTION AUTHORIZING THE SALE OF SURPLUS CRASH FIRE RESCUE VEHICLES."

"RESOLUTION NO. 23050

RESOLUTION AUTHORIZING FILING OF ACTION BY PORT ATTORNEY AGAINST EAST BAY BOAT WORKS."

"RESOLUTION NO. 23051

RESOLUTION AUTHORIZING ATTENDANCE AT CERTAIN PROCEEDINGS BEFORE THE FEDERAL MARITIME COMMISSION."

"RESOLUTION NO. 23052

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23053

RESOLUTION APPROVING BONDS OF BRANAUGH EXCAVATING, INC."

"RESOLUTION NO. 23054

RESOLUTION MAKING APPROPRIATION FOR PURCHASE OF RESTAURANT BUILDING ON ROOF OF PORT OF OAKLAND BUILDING."

"RESOLUTION NO. 23055

RESOLUTION GRANTING TRACTION INTERNATIONAL PERMISSION TO PERFORM CERTAIN WORK."

RESOLUTION NO. 23056

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF ADDITION TO RENTAL CAR READY AND CHECK-IN LOT, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23057

RESOLUTION GRANTING PERMISSION TO COMMERCIAL & INDUSTRIAL SUPPLY CO. TO SUBLET PREMISES TO U. S. LAND SALES & DEVELOPMENT COMPANY AND CONSENTING TO ASSIGNMENT OF SAID SUBLEASE TO WILDWOOD."

"RESOLUTION NO. 23058

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Soda, Walters and President Mortensen - 7

Noes: None

Absent: None

"RESOLUTION NO. 23059

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH T & R EXCAVATORS."

"RESOLUTION NO. 23060

RESOLUTION ACCEPTING WORK PERFORMED BY T & R EXCAVATORS, ASSESSING LIQUIDATED DAMAGES AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioner Berkley, Gainor, Lange and Walters - 4

Noes: None

Abstained: President Mortensen - 1

Absent: Commissioners Connolly and Soda - 2

"RESOLUTION NO. 23061

RESOLUTION CONSENTING TO SUBLEASE BY OAKLAND VILLAGE CORPORATION TO CANDLESTICK WATERFRONT RESTAURANT CORPORATION AND APPROVING THE PRESENT TYPE AND QUALITY OF THE SUBLEASE OPERATION."

Port Ordinance No. 1979 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO WHARF ASSIGNMENTS", was read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

Port Ordinance No. ____ being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH DOLLAR RENT-A-CAR SYSTEMS, INC.", and Port Ordinance No. ____ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO WHARF DEMURRAGE AND STORAGE, WHARFAGE - RULES AND REGULATIONS, AND WHARFAGE RATES", and Port Ordinance No. ____ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO DOCKAGE - RULES AND REGULATIONS", were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

At the hour of 5:15 p.m. the meeting was adjourned until Wednesday, January 28, 1976, at the hour of 2:00 p.m. in the office of the Board.

* *

The meeting was reconvened on Wednesday, January 28, 1976 at the hour of 2:20 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding.

Commissioners present: Berkley, Gainor, Lange, Walters and President Mortensen - 5

Commissioners absent: Connolly and Soda - 2

Also present were the Executive Director; Assistant Port Attorney; and Secretary of the Board.

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

"RESOLUTION NO. 23062

CONCERNING CERTAIN TRAVEL."

At the hour of 2:21 p.m. the Board entered into executive session on legal matters, and reconvened in open session at the hour of 3:10 p.m. at which time the meeting was adjourned.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, February 4, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Gainor, Lange, Walters and President Mortensen - 5

Commissioners Absent: Connolly and Soda - 2

Also present were the Executive Director; Deputy Executive Director; Port Attorney; Chief Engineer; Assistant Chief Engineer; Director of Aviation; Airport Manager; Commercial Representative, North Field; Manager, Properties Department; Director of Public Relations; and Assistant to the Executive Director, who also acted as Assistant Secretary of the Board.

Visitors attending the meeting included a group of journalism students from the University of California at Berkeley; and Mr. Lou Shih Kang, an Engineer from Taiwan visiting the Port.

The minutes of the regular meeting of January 7, 1976 were approved as submitted and ordered filed.

The public hearing scheduled for 2:00 p.m. to hear the application of Seabreeze Yacht Center, Inc. to fill water area and to perform other work was canceled as the applicant withdrew the application and removed the already placed fill.

Mr. Willie Richmond, Port Maintenance Foreman was introduced to the Board and presented with his 15 year service pin.

Rebadging Procedure at North Airport was the subject of a memo to the Board from the Director of Aviation, notifying the Board that in view of the recent increases in tie-down rentals, increases of cost per gallon on retail fuel and a forthcoming recommendation for T-hangar rental increases, the Aviation Committee has

Board of Port Commissioners Meeting
Secretary
Action MAR 3 1976
APPROVED AS SUBMITTED
AND ORDERED FILED

reviewed the situation and is recommending that the badges be exchanged at no cost for replacement badges to those turning in an obsolete badge. Any newly issued badge will be charged in accordance with the new rate. The information was noted and ordered filed.

Price Increase for Airport Access Identification Badges and Establishment of a Price for Airport Vehicle Permit Decals was the subject of a memo to the Board from the Director of Aviation, recommending that Port Ordinance 1149, Section 10.4, "Airport Access Identification Badges", be amended to reflect the following new prices: Plain Access Identification Badge, $3.00; Non-photo, non-keying device, Temporary Badge, $2.00; Access Identification Badge with keying device, $4.00; and Non-photo, keying device, Temporary Badge, $3.25. Further recommended was the establishment of a $25 charge for any missing badge. Also included in the recommendation was the establishment of a $1 charge for reserve Area Vehicle Parking and Ramp Area Vehicle Access Permits. The recommendation was approved on passage of an ordinance to print.

Oakland Tech Flying Club was the subject of a memo to the Board from the Director of Aviation, notifying the Board that the Club has had two free tie-down spaces since 1963. It was recommended that the Flying Club be required to pay for their tie-down spaces so that all flying clubs will be on an equal basis paying the prevailing rates. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Amendment of Fuel Truck Agreements--Standard Oil and Shell Oil was the subject of a memo to the Board from the Manager, Properties Department, recommending the Board approve in principle to amend certain agreements with the oil companies to allow the Port to have greater flexibility in providing insurance coverages for their equipment at the Airport. The recommendation was approved

on a motion by Commissioner Lange, seconded and passed unanimously.

Relocation of Office Space--Aircraft Service International, Inc. was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to delete certain space in the Ticketing Building and to relocate the tenant to space on the second floor of the Terminal Building for a new total monthly rental of $1,224.97 plus 10% of their gross receipts for airline ground handling services. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Sign Permit Application by Hibbard Aviation, Building L-142 North Field was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the placement of a sign to read "Mitsubishi, MU-2" at their location on the North Field. It was noted that the sign would be in conformance with the amended North Airport Sign Policy, presently under review by Port staff, and in the event the sign policy is not revised, the applicant will remove the sign from the premises or alter it to conform with the existing North Field Sign Policy. The recommendation was approved on passage of Resolution No. 23071.

Approval of Subleases--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Raymond F. and Charlene B. Kayo to operate a gift shop; Irmfrieda Chandler to operate a women's clothing and accessories shop; and Mr. Wayne J. Impellitteri and Mr. Mark D. Cogdill to operate a men's clothing, shoes and accessories shop. The recommendation was approved on passage of Resolution No. 23063.

Plans and Specifications for Revisions to Parking Lots 5 and 7, Jack London Square was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the rearrangement of the parking lots. The recommendation was approved on passage of Resolution No. 23064.

Award of Contract for Construction of Yard Improvements Berths 2, 3 and 4, Outer Harbor Terminal was the subject of a memo to the Board from Supervising Engineer J. L. Lambert, notifying the Board of the ten bids received and recommending award of the contract to Freeman-Sondgroth Construction Co., the low bidder at $3,181,895. The recommendation was approved on passage of Resolution No. 23065.

Amendment to Mobil Oil Lease was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board of the recent negotiations with Mobil to acquire certain portions of their leased area to provide sufficient backup area for the new Outer Harbor Terminal. Four separate parcels have been identified which independently could be made available to the Port. It was recommended that the Board approve in principle acquisition of a 4.01 acre site known as Area 1. The Port would pay Mobil $182,340 for its leasehold interest in the land and improvements. Mobil would receive the purchase price and have $573.80 per month ground rental attributing to Area 1 eliminated on August 1, 1976 and they would totally vacate the area not later than September 1, 1976. It was noted that a change order in the amount of $66,800 has been negotiated for the elimination of the rerouting of a rail spur which would have had to be maintained to serve the area in the event Mobil continued use of the area. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Relocation and Undergrounding of Telephone Lines for Redevelopment of Outer Harbor Terminal was the subject of a memo to the Board from the Supervising Electrical/Mechanical Engineer, recommending approval for Pacific Telephone and Telegraph Company to proceed with certain work to be done in connection with the development of the Outer Harbor Terminal at an approximate cost

of $17,644. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Virginia Adams, as Intermediate Typist Clerk, effective February 5, 1976, at $768 per month; and Cleveland Meeks, as Construction Aide Leadman (C.E.T.A.), effective February 5, 1976, at $865 per month. It was also recommended that the Board eliminate one position of "Building Maintenance Engineer" and establish a new position of "Port Senior Building Maintenance Engineer". Further recommended was an increase in salary for Equal Opportunity Assistant (C.E.T.A.) to $1,045 per month and that authority be given to proceed with the hiring of an individual for the position. The recommendation was approved on passage of Resolution No. 23066 and Resolution No. 23067 for appointments; an ordinance passed to print for creation of position and salary increase; and on a motion by Commissioner Lange, seconded and passed unanimously, on authority to hire.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of the Director of Airport Planning and the Deputy Port Attorney III to Scottsdale, Arizona on or about February 11, 1976 to attend an annual joint meeting of the AOCI Environmental and Legal Committees. The recommendation was approved on passage of Resolution No. 23072.

Claim of Kenneth Lenard was the subject of a letter to the Board from the Port Attorney, notifying the Board of a claim submitted by Mr. Lenard for alleged injury and property loss resulting when his car struck a freight car on Embarcadero. It was recommended that the claim be rejected as it is not a proper charge against the Port. The recommendation was approved on passage of Resolution No. 23068.

Application of World Airways for Certificate of Public Convenience and Necessity, Civil Aeronautics Board Docket No. 27693 was the subject of a letter to the Board from the Port Attorney, notifying the Board that on January 23, 1976 the Civil Aeronautics Board dismissed World's application. World Airways has announced its decision to appeal to the United States Court of Appeals to reverse the Board's decision. World has requested the Port to join with them in a brief and participate in oral argument. The cost to the Port is estimated at approximately $5,000. It was recommended that the Board authorize participation in these court proceedings. The recommendation was approved on passage of Resolution No. 23069.

G. L. Hasenpflug vs. City of Oakland, et al., Municipal Court for the Oakland-Piedmont Judicial District, County of Alameda, Action No. 290831 was the subject of a letter to the Board from the Port Attorney, notifying the Board that the court has awarded the plantiff the sum of $650.85 in damages plus allowable costs of $26.60. In view of the relatively small amount recovered by the contractor as contrasted with the amount claimed, it was recommended that the Board approve payment rather than appeal the decision. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

Dennison Street Wharf Collapse was the subject of a letter to the Board from the Port Attorney, notifying the Board that the Coast Guard has determined that a civil penalty in the amount of $150 should be assessed against the Port. It was noted that the Port could appeal the assessment to the Commander, Twelfth Coast Guard District. It was recommended that the civil penalty be paid. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

At the hour of 3:15 p.m. the Board entered into an executive session with the Port Attorney and reconvened in open session at the hour of 4:15 p.m.

The following written reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of February 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of January 27, 1976.

Summary of Claims Paid from Various Funds for the Period January 6, 1976 through January 27, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

"RESOLUTION NO. 23063

RESOLUTION CONSENTING TO SUBLEASES BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23064

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR REVISIONS TO PARKING LOTS 5 AND 7, JACK LONDON SQUARE, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23065

RESOLUTION AWARDING CONTRACT TO FREEMAN-SONDGROTH CONSTRUCTION CO. FOR CONSTRUCTION OF YARD IMPROVEMENTS BERTHS 2, 3 AND 4, OUTER HARBOR TERMINAL; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23066

RESOLUTION APPROVING APPOINTMENT OF VIRGINIA ADAMS TO THE POSITION OF INTERMEDIATE TYPIST CLERK."

"RESOLUTION NO. 23067

RESOLUTION APPROVING APPOINTMENT OF CLEVELAND MEEKS TO THE POSITION OF CONSTRUCTION AIDE LEADMAN IN CONNECTION WITH PARTICIPATION IN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973."

"RESOLUTION NO. 23068

RESOLUTION REJECTING CLAIM OF KENNETH LENARD."

"RESOLUTION NO. 23069

RESOLUTION AUTHORIZING THE PORT ATTORNEY TO PARTICIPATE IN CERTAIN PROCEEDINGS BEFORE THE UNITED STATES COURT OF APPEALS."

"RESOLUTION NO. 23070

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23071

RESOLUTION GRANTING COMSTOL AIR TRANSIT, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23072

RESOLUTION AUTHORIZING CERTAIN TRAVEL."

"RESOLUTION NO. 23073

RESOLUTION AUTHORIZING EXECUTION OF GRANT OF EASEMENT TO EAST BAY MUNICIPAL UTILITY DISTRICT."

"RESOLUTION NO. 23074

RESOLUTION AUTHORIZING EXECUTION OF THIRD SUPPLEMENTAL AGREEMENT WITH AIRPORT ADVERTISING CO."

"RESOLUTION NO. 23075

RESOLUTION AUTHORIZING EXECUTION OF THIRD SUPPLEMENTAL AGREEMENT WITH KIMAIR COMPANY."

"RESOLUTION NO. 23076

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT IN COMPROMISE AND SETTLEMENT OF LITIGATION WITH H. F. LAURITZEN, INC."

"RESOLUTION NO. 23077

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH BAY AVIATION SERVICE, INC."

"RESOLUTION NO. 23078

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH ASHLAND OIL COMPANY OF CALIFORNIA."

Port Ordinance No. 1980 being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH DOLLAR RENT-A-CAR SYSTEMS, INC.", and Port Ordinance No. 1981 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO WHARF DEMURRAGE AND STORAGE, WHARFAGE - RULES AND REGULATIONS, AND WHARFAGE RATES", and Port Ordinance No. 1982 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO DOCKAGE - RULES AND REGULATIONS", were read a second time and finally adopted by the following vote:

Ayes: Commissioner Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

Port Ordinance No. ____ being, "AN ORDINANCE AMENDING SECTION 10.4 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", and Port Ordinance No. ____ being, "AN ORDINANCE AMENDING SECTION 9.12 OF, AND ADDING SECTION 9.122 TO, PORT ORDINANCE NO. 867 RECLASSIFYING ONE EXISTING POSITION OF BUILDING MAINTENANCE ENGINEER TO PORT SENIOR BUILDING MAINTENANCE ENGINEER", and Port Ordinance No. ____ being, "AN ORDINANCE AMENDING SECTION 5.162 OF PORT ORDINANCE NO. 867 CHANGING THE SALARY OF EQUAL OPPORTUNITY ASSISTANT IN CONNECTION WITH PARTICIPATION IN THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973", were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

At the hour of 4:30 p.m. on a motion duly made and seconded the meeting was adjourned.

Assistant Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, February 18, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Connolly, Gainor, Lange, Walters and President Mortensen - 5

Commissioners absent: Berkley and Soda - 2

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; for part of the meeting, Deputy Port Attorney Richard Griffin; Chief Engineer; Manager, Properties Department; Director of Public Relations; and Secretary of the Board.

Visitors attending the meeting included Mr. Clinton D. Ashby, representing Bay View Aviation; Mr. Richard Cober, representing Jack London Village; and Mr. Harold V. Andreasen, representing Airport Marina.

The minutes of the regular meeting of January 21, 1976 and the adjourned regular meeting of January 28, 1976, were approved as submitted and ordered filed.

Modification of Accounting Provision in Lease--Marriott was the subject of a memo to the Board from the Manager, Properties Department, recommending that the Board approve in principle an amendment to their lease which would add a requirement for an annual certified statement from the chief financial officer of the lessee, as to the accuracy of rental payments to the Port and would delete

Board of Port Commissioners Meeting
Secretary Quinton C. Marshall
Action MAR 3 1976
APPROVED AS SUBMITTED
AND ORDERED FILED

a provision referring to annual statements from either an independent public accountant or an income tax preparer. Included in the recommendation was approval in principle for similar provisions in future percentage leases. It was noted that the Port principally relies upon its own annual audits of the lessee's books and records as to the accuracy of rental payments. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Plans and Specifications for Alterations to Building L-606 for General Aviation Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for alterations to an existing building to provide for a new guest terminal at the North Field. The recommendation was approved on passage of Resolution No. 23079.

Contract Completion Additional Site Development North of Taxiway 5 was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with Gallagher & Burk, Inc. be extended through December 15, 1975 and be accepted as complete as of that date with a contract price of $112,681.33. The recommendation was approved on passage of Resolution No. 23080 for time extension and Resolution No. 23081 for accepting contract.

Expansion of Leased Area--Apostleship of the Sea was the subject of a memo to the Board from the Manager, Properties Department, recommending that the Board approve in principle an amendment to the Apostleship of the Sea lease to extend the northerly boundary approximately 27 feet, which would add approximately 4,050 square feet of land area. The increased area will be used for the expansion

of the present building. The recommendation was approved on a motion by Commissioner Connolly, seconded and passed unanimously.

Approval of Sublease--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Mr. H. M. Kabir Masudi to operate an Afghanistan import store. The recommendation was approved on passage of Resolution No. 23082.

Building Permit Applications from Oakland Village Corporation for Interior Alterations to Subleased Premises in Jack London Village was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements for the "Collector's Cove"; "Things Tagalog"; "Norms Hair Works"; "Afghanistan Import Shop"; and J. W. Dill, Ltd." Total cost of the improvements is estimated at $12,600. The Environmental Impact Report for the project was previously considered by the Board. The recommendation was approved on passage of Resolution No. 23083.

Approval of Subtenants--Mardeco was the subject of a memo to the Board from the Manager, Properties Department, recommending approval of subtenants Philip Freeman & Penn De Roche; Kjeld Sorensen; John Greene; Doug Whaley; and Dixie Penrose; all presently month-to-month tenants for their space in the Mardeco leased area. The recommendation was approved on passage of Resolution No. 23084.

Removal of Pacific Gas and Electric Company Power Poles from the Embarcadero was the subject of a memo to the Board from the Supervising Electrical and Mechanical Engineer, recommending approval of an agreement to allow for the relocation of overhead power facilities in conjunction with the construction of the new

parking lot on Embarcadero. The estimated cost of the work is $5,626.00. The recommendation was approved on passage of Resolution No. 23085.

Modifications to East Bay Municipal Utility District Facilities in Ferry Street was the subject of a memo to the Board from the Supervising Electrical and Mechanical Engineer, recommending approval of an agreement to provide for certain relocation work of a pipeline and fire hydrants in conjunction with the development of the Outer Harbor Terminal. The recommendation was approved on passage of Resolution No. 23086.

Application for a Private Fire Service from East Bay Municipal Utility District was the subject of a memo to the Board from the Supervising Electrical and Mechanical Engineer, recommending approval for the execution of an agreement to provide for a 10" fire service at the intersection of Ferry Street and 14th Street to serve the Outer Harbor Terminal as the existing elevated water storage tank is no longer serviceable. The estimated cost of the work is $6,630.00. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23087.

Personnel Items contained in a memo to the Board from the Employee Relations Officer, recommending the appointment of John Ananich, as Junior Personnel Analyst (C.E.T.A.), effective February 6, 1976, at $1,045 per month; and Gregorio Munoz, as Janitorial Helper (C.E.T.A.), effective February 19, 1976, at $755 per month. Also recommended was the salary increase for John Davis, Jr., Janitor, in recognition of increased duties to rate

"d" of salary schedule 25 and a corresponding decrease in salary for Clarence Jones, Janitor, no longer providing extra duties, to rate "c" of salary schedule 25. Further recommended was a salary decrease for James Doyle, Chief Airport Serviceman, to rate "c" of salary schedule 46.6, as he is temporarily unable to perform crash/rescue duties. The recommendations were approved on passage of Resolution No. 23088 for appointments and Resolution No. 23089 for salary adjustments.

Disposal of Battery Carcasses was the subject of a memo to the Board from the Manager, Purchasing Department, recommending approval to dispose of eleven surplus battery carcasses after receipt of informal bids. The recommendation was approved on passage of Resolution No. 23090.

The People v. The Superior Court and Port of Oakland, Supreme Court of California No. SF 23322 was the subject of a letter to the Board from the Port Attorney, notifying the Board that the State Supreme Court had rendered a decision in the oil spill case with the following findings, (1) that the civil liability imposed by statute is compensatory rather than punitive and may be imposed upon a public entity such as the Port of Oakland; (2) that the statute does not impose liability without fault and requires proof of negligence or intent; and (3) that the maximum liability of $6,000.00 per day may be imposed only for each day that the oil was deposited in the water and not for each day that the oil remains in the water. The matter will be returned to the trial court for further proceedings consistent with the opinion of the Supreme Court. The information was noted and ordered filed.

Purchase of Marco Polo Restaurant Leasehold was the subject of a letter to the Board from the Port Attorney, notifying the Board that an agreement cancelling the lease and providing for the purchase by the Port of certain equipment, furnishings and trade fixtures, is being reviewed by staff. Notice of the intended bulk transfer has been recorded and published and an escrow has been opened. General Appraisal has prepared an inventory and an appropriate bill of sale has been prepared. It was noted that the tax collector of Alameda County has seized the premises for unpaid personal property taxes, penalties and costs totaling $6,347.67 and that these taxes will be paid through the escrow proceedings. It was expected that the transaction will be consummated on or soon after February 20, 1976. The information was noted and ordered filed.

Bay Farm Island Reclamation District No. 2105's Application to the San Francisco Bay Conservation and Development Commission for a Permit to Install Pipes and Water Control Structures was the subject of a letter to the Board from the Port Attorney, notifying the Board that the Commission denied the application of Bay Farm Island Reclamation District No. 2105 to install on the periphery of Bay Farm Island three inflow and outfall pipes and three water control structures. It was the contention of the Port during public hearings that the work was a necessary part of Harbor Bay Isle Associates' proposed residential development and as the environmental impact report has not been completed, BCDC could not consider the application. It was noted that BCDC did grant certain permits for replacement pipes to the existing system. The information was noted and ordered filed.

Reimbursement of Deductible Sum to Zurich Insurance Company was the subject of a letter to the Board from the Port Attorney, notifying the Board that Zurich Insurance Company has investigated and issued a draft in the amount of $472.12 for water damage to 150 cases of canned goods at the Ninth Avenue Terminal. It was recommended that the Port reimburse Zurich Insurance Company in the amount of $250.00, the Port's deductible sum. The recommendation was approved on passage of Resolution No. 23091.

Application of World Airways for Scheduled Transcontinental Authority was the subject of a letter to the Board from the Port Attorney, notifying the Board that a petition in the name of the Port of Oakland and the Oakland Chamber of Commerce for leave to intervene and an answer supporting World Airway's motion for advancement of the hearing has been filed. The Port Attorney notified the Board that the petition has been granted. The information was noted and ordered filed.

Ashland Oil Company of California v. Port of Oakland, Alameda County Superior Court Action No. 458375-2 was the subject of a letter to the Board from the Port Attorney, notifying the Board that the Second Supplemental Agreement amending the lease with Ashland Oil Company of California has now been fully executed and recorded, which deletes Parcel 2 from the demised premises, adjusts the rental accordingly and provides for the use by the lessee of the new pipe lines constructed from Berth 5 to the existing tank farm, and provides for the Port to pay Ashland $43,000.00 as settlement of its right to remove the existing oil pier and as partial compensation for the relinquishment of Parcel 2. The information was noted and ordered filed.

Purchase of Castaway Restaurant Building was the subject of a letter to the Board from the Port Attorney, notifying the Board that the supplemental agreement has been prepared for review by staff and copies have been forwarded to the lessee for review and comment. The information was noted and ordered filed.

Airport Marina Dragboat Races was the subject of a memo to the Board from the Port Attorney, notifying the Board that the tenant, Mr. Harold V. Andreasen, is seeking Board approval for dragboat races in the Airport Channel. Examination of his insurance policies showed that the Port could be exposed to certain liabilities. It was recommended that the Board deny approval for the dragboat racing until certain insurance and releases could be provided. Mr. Andreasen appeared before the Board and requested that further meetings be held to determine if their insurance program is adequate. President Mortensen asked the staff to continue meeting with the tenant to work on the problem.

At the hour of 2:35 p.m. the Board entered into executive session with the Port Attorney and reconvened in open session at the hour of 3:10 p.m.

Commissioner Walters requested certain information on the status of various projects in connection with Jack London Square and certain correspondence recently received by the Board concerning Jack London Marina. During discussion President Mortensen asked that the Board members be available to personally inspect the premises of the Jack London Marina on Wednesday, February 25, 1976, and that a following work session would discuss various aspects of Jack London Square.

The following written reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of February 9, 1976.

Summary of Cash and Accounts Receivable Port Revenue Fund #801 for the Month of January, 1976.

Accounts Receivable 35 Days or More in Arrears as of February 17, 1976.

Accounts Receivable Referred to Legal as of February 17, 1976.

Accounts Receivable - Other Departments as of February 17, 1976.

Summary of Claims Paid from Various Funds for the Period February 2, 1976 through February 4, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Connolly, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Berkley and Soda - 2

"RESOLUTION NO. 23079

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR ALTERATIONS TO BUILDING L-606 FOR GENERAL AVIATION TERMINAL, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23080

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH GALLAGHER & BURK, INC."

"RESOLUTION NO. 23081

RESOLUTION ACCEPTING WORK PERFORMED BY GALLAGHER & BURK, INC. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23082

RESOLUTION CONSENTING TO SUBLEASE BY OAKLAND VILLAGE CORPORATION TO H. M. KABIR MASUDI."

"RESOLUTION NO. 23083

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23084

RESOLUTION CONSENTING TO SUBLEASES BY MARDECO, INC."

"RESOLUTION NO. 23085

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH PACIFIC GAS AND ELECTRIC COMPANY TO INSTALL FACILITIES OR PERFORM OTHER WORK."

"RESOLUTION NO. 23086

RESOLUTION AUTHORIZING PERFORMANCE OF CERTAIN WORK BY EAST BAY MUNICIPAL UTILITY DISTRICT."

"RESOLUTION NO. 23087

RESOLUTION AUTHORIZING EXECUTION OF PRIVATE FIRE SERVICE APPLICATION WITH EAST BAY MUNICIPAL UTILITY DISTRICT."

"RESOLUTION NO. 23088

RESOLUTION CONCERNING CERTAIN APPOINTMENTS IN CONNECTION WITH PARTICIPATION IN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973."

"RESOLUTION NO. 23089

RESOLUTION ASSIGNING EMPLOYEES AND FINDING THEM TO BE ENTITLED TO CERTAIN RATES WITHIN SALARY SCHEDULES FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23090

RESOLUTION AUTHORIZING SALE OF SCRAP BATTERY CARCASSES."

"RESOLUTION NO. 23091

RESOLUTION MAKING APPROPRIATION TO REIMBURSE ZURICH INSURANCE COMPANY."

"RESOLUTION NO. 23092

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH TRANS INTERNATIONAL AIRLINES, AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23093

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH TRANS INTERNATIONAL AIRLINES, AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23094

RESOLUTION AUTHORIZING EXECUTION OF THIRD SUPPLEMENTAL AGREEMENT WITH TRANS INTERNATIONAL AIRLINES, AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23095

RESOLUTION APPROVING BONDS OF FREEMAN-SONDGROTH CONSTRUCTION CO."

"RESOLUTION NO. 23096

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23097

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH LAMM ASSOCIATES, INC."

"RESOLUTION NO. 23098

RESOLUTION AUTHORIZING EXECUTION OF SIXTH SUPPLEMENTAL AGREEMENT WITH MOBIL OIL CORPORATION AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23099

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT CANCELLING LEASE OF REAL PROPERTY WITH MARCO POLO RESTAURANT CORPORATION, DIRECTING RECORDATION THEREOF AND MAKING APPROPRIATION IN CONNECTION THEREWITH."

At the hour of 3:50 p.m. the meeting was adjourned until 2:00 p.m., Wednesday, February 25, 1976.

* *

The meeting was reconvened on Wednesday, February 25, 1976 at the hour of 2:35 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding.

Commissioners present: Gainor, Lange, Walters and President Mortensen - 4

Commissioners absent: Berkley, Connolly and Soda - 3

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; for part of the meeting, the Assistant Port Attorney and Deputy Port Attorney Thomas Clark; Manager, Properties Department; Public Relations Director; and Secretary of the Board.

Purchase Leasehold Interest - Marco Polo was the subject of an oral report from the Assistant Port Attorney, notifying the Board that there was insufficient time to complete the transaction, and he recommended that the time be extended until March 18, 1976. The recommendation was approved on passage of Resolution No. 23100.

At the hour of 2:50 p.m. Commissioner Soda joined the meeting.

SST Operations was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board that Assemblyman John J. Miller has written a letter to President Mortensen questioning the intent of the Board to pass a resolution in opposition to any supersonic transport operations at the Metropolitan Oakland International Airport. It was noted that both San Francisco and Los Angeles Airport Commissions have passed such resolutions, with Los Angeles' Airport Commission's resolution containing references to the Federal Aviation Regulations, Part 36, pertaining to noise levels. After discussion, President Mortensen asked that a resolution be prepared opposing the use of supersonic aircraft at the Airport until the air transports are able to meet the requirements of Part 36 of the Federal Aviation

Regulations. Resolution No. 23101 was passed, opposing the use of supersonic aircraft.

Commissioner Walters, in response to an inspection of the Mardeco marina leasehold made by members of the Board and certain staff, moved that Mardeco be put on notice by letter that the inspection was held and certain repair work was noted; the progress of the work was questioned; that they were not maintaining a first-class marina as provided for in their lease and that the Board was generally dissatisfied with the results; and the Board was requesting Mardeco to provide a full report back to the Port by April 1, 1976. The motion was seconded and passed unanimously. During further discussion, Commissioner Walters moved that the staff discontinue any other negotiations with Mardeco concerning projects in the boat harbor area until such time as the Marina question has been resolved. The motion was seconded and passed unanimously.

At the hour of 3:05 the Board entered into executive session with the Port Attorney and reconvened in open session at the hour of 3:40 p.m.

Amendment to Agreement with Honold Manufacturing Company for Delivering Plane-Mates was the subject of a memo to the Board from the Chief Engineer, notifying the Board that it was mutually beneficial to reschedule the delivery of the two Plane-Mates. It was recommended that the Board approve in principle an extension of the delivery date of the Plane-Mates from May 15, 1976 until September 1976, and that the Port Attorney prepare an amendment to the agreement providing for the extension. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Gainor, Lange, Walters and President Mortensen - 4

Noes: None

Absent: Commissioners Berkley, Connolly and Soda - 3

"RESOLUTION NO. 23100

RESOLUTION GRANTING EXTENSION OF TIME TO MARCO POLO RESTAURANT CORPORATION."

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Gainor, Lange, Soda, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Berkley and Connolly - 2

"RESOLUTION NO. 23101

RESOLUTION OPPOSING THE USE OF METROPOLITAN OAKLAND INTERNATIONAL AIRPORT BY SUPERSONIC AIRCRAFT."

The meeting was adjourned at the hour of 3:45 p.m. on a motion duly made and seconded.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, March 3, 1976, at the hour of 2:12 p.m. in the office of the Board, Room 376, 66 Jack London Square, First Vice President Walters presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Gainor, Lange and First Vice President Walters - 4

Commissioners absent: Connolly, Soda and President Mortensen - 3

Also present were the Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Chief Engineer; Assistant Chief Engineer; Director of Aviation; Airport Manager; Director of Airport Planning; Manager, Properties Department; Director of Public Relations; and Secretary of the Board.

Visitors attending the meeting included Mr. Robert Moses and Ms. Jyllinda Hagler, representing the Smithsonian Institution's Ethnic Tours program; Mr. Paul Recob, representing Grinnell Fire Protection; Mr. Clinton Ashby, representing Bay View Aviation; Mr. Robert J. Lang, Chairman of the Oakland Aviation Council; Mr. Harold Andreasen, Mr. Milton Raasch and Ms. Dione T. Williams, all representing proposed power boat races in the Airport Marina.

The minutes of the regular meeting of February 4, 1976; the regular meeting of February 18; and the adjourned regular meeting of February 25, 1976 were approved as submitted and ordered filed.

Commissioner Lange awarded Jane Radke, Senior Account Clerk, her 15-year service pin.

At the hour of 2:20 p.m., Commissioner Soda joined the meeting.

Board of Port Commissioners Meeting
Secretary
Action MAR 17 1976
APPROVED AS SUBMITTED
AND ORDERED FILED

Proposed New North Airport Sign Policy was the subject of a memo to the Board from the Director of Airport Planning, notifying the Board that the existing sign policy, in effect since 1970, is now considered to have limitations and that an expanded policy has been prepared for adoption. Mr. Robert Lang, Chairman of the Oakland Aviation Council, appeared before the Board to present certain requests to liberalize the proposed new policy. First Vice President Walters asked that the item be held over, and said that he would review the policy and requests at the next Aviation Committee Meeting.

Award of Contract for Construction of Addition to Rental Car Ready and Check-In Lot, Metropolitan Oakland International Airport was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the 12 bids received, and recommending award of the contract to J. H. Fitzmaurice, Inc., the low bidder at $12,756.00. The recommendation was approved on passage of Resolution No. 23102.

Building Permit Application for the Installation of a Sprinkler System, Marriott In-Flite-Services was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of a partial interior sprinkler system in their building. The estimated cost of the work is $26,980. The project is categorically exempt, and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23103.

Contract Completion, Flood Control Dike Improvement at North Field was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with Ferma Corporation be extended through December 8, 1975, and the contract be accepted as complete as of that date with a contract price of $49,280.94. The recommendation was approved on

passage of Resolution No. 23104 for time extension and Resolution No. 23105 for accepting contract.

Approval of Subleases, Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Charles and Mary Alice Klein to operate a greeting cards, gifts and stationery shop, and Mr. Lloyd J. Conner to operate a jewelry, art objects and gift shop. The recommendation was approved on passage of Resolution No. 23106.

Hours of Operation, Jack London Village was the subject of a memo to the Board from the Executive Director, notifying the Board that the manager of the Village has provided a summary of the operating hours of the restaurants and shops in response to a request by the Board. It was noted that Sophie's Restaurant is now open seven days a week for lunch, and six evenings a week for dinner. The information was noted and ordered filed, with the notation that the hours of operation would be reviewed in six weeks.

Building Permit Application from Oakland Village Corporation, for Interior Alterations to Subleased Premises in Jack London Village was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements for the "Village Boutique". The recommendation was approved on passage of Resolution No. 23107.

Contract with Far East Representative was the subject of a memo to the Board from the Deputy Executive Director, recommending that the Board approve in principle the renewal of Mr. S. Kuwata's contract as the Port's Far East representative. The new contract would provide for a monthly payment of 1,234,198 yen, or $3,703, reflecting the current rate of exchange. The

recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Lease for Tokyo Office was the subject of a memo to the Board from the Deputy Executive Director, recommending that the Board execute the new lease for office space in the MITA International Building. It was noted that the lease terminates on August 31, 1977, when the Port would have the option of locating its office in the new NYK Building. The rent is 231,400 yen per month, or $770.50 at the current rate of exchange. The recommendation was approved on passage of Resolution No. 23108.

Hiring of a Testing Firm to Provide Specialized Inspection Services on Port Container Cranes was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending approval in principle to hire Testing Engineers to provide testing services during the construction of the two new cranes for the Outer Harbor, at a cost not to exceed $61,000.00. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Electrical Engineering Consulting Services for Outer Harbor Container Crane Construction was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the Board approve in principle the hiring of Rogers Engineering Company, Inc. to provide electrical engineering services during the construction and erection of the two new cranes, at a cost not to exceed $10,000. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Port of Oakland Tariff Changes, Assessment of Wharfage - Weight or Measure was the subject of a memo to the Board from the Traffic Manager & Manager Marine Terminal Department, recommending approval to repeal recent changes in the Port's tariffs to allow

for the California Association of Port Authorities to hold public hearings on the matter. The recommendation was approved on an ordinance passed to print.

Travel Authorization, contained in a memo to the Board from the Executive Director, recommended the travel of the Executive Director, Port Attorney and Public Relations Director to Washington, D. C., on or about March 9, 1976, to attend the Spring Meeting of the American Association of Port Authorities; the travel of the Port Staff Analyst to Phoenix, Arizona, on or about March 23, 1976, to attend an Airport Operators Council International 1976 Economic Specialty Conference and Economic Committee Meeting; the travel of Commissioner H. Boyd Gainor to New York and Newark on or about March 8, 1976, to visit the Newark Airport and to discuss with the Port Authority their ground transport, environmental, noise and airline usage problems. The recommendation was approved on passage of Resolution No. 23109.

Bicentennial Cultural Tour of Smithsonian Institution was the subject of a memo to the Board from the Public Relations Director, notifying the Board that the Smithsonian Institution is sponsoring tours of cultural performances and exhibitions which will visit Oakland during the summer. The local committee has requested the use of Jack London Square to call attention to the event by allowing each group to perform during the noon hour prior to their performances at the Auditorium Arena. Mr. Robert Moses, of the local committee, appeared before the Board to explain the project. A motion by Commissioner Berkley, seconded and passed unanimously, approved support of the visiting tours program.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Joel Johnson as Port Traffic Representative, effective March 4, 1976, at $1389 per month; Olaf Hansen as Port Operations Clerk,

effective March 4, 1976, at $1224 per month; Kenneth Anton as Youth Aide, Class "C", effective March 4, 1976, at $4.64 per hour. Also recommended was a leave of absence for Mrs. Evonne Yfantis, Senior Secretary, for a period of six calendar months, due to maternity leave, effective March 1, 1976. Further recommended was the creation of two exempt positions of Engineering Intern (Part-Time), and the reclassifying of one existing position "Tariff and Traffic Clerk" to "Wharfinger". Additionally recommended was the salary increase for Truck Driver and Laborer Curtis Johnson, to rate "e" of salary schedule 42, in recognition of additional duties being performed. The recommendations were approved on passage of Resolution No. 23110 for salary increase; Resolution No. 23111 for leave of absence; Resolution No. 23112 for appointments; and on an ordinance passed to print for appointments and on an ordinance passed to print for creation of the positions.

Claim of Myrtle MacDonald was the subject of a letter to the Board from the Port Attorney, notifying the Board of the claim submitted for alleged damages resulting from a trip-and-fall accident at the Airport. It was recommended that the claim be denied, as the 100-day period of limitations has run and investigation revealed no unsafe pavement condition. The recommendation was approved on passage of Resolution No. 23113.

Demand by R.E.G., Inc. was the subject of a letter to the Board from the Port Attorney, notifying the Board that R.E.G. had made a demand that the Port of Oakland take action to recover from Ferma Corporation the sum of $4,554.21. It was noted that R.E.G. had bid for certain work and their bid was rejected as their bid bond was insufficient. R.E.G. has continually maintained that the contract should have been awarded to them. It was recommended the claim be denied as the demand is totally without merit. The recommendation was approved on passage of Resolution No. 23114.

Air Transportation Service Between Oakland and Sacramento was the subject of a letter to the Board from the Port Attorney, notifying the Board that Eureka Aero Industries, Inc. has been granted permission by the Public Utilities Commission to provide air service between Metropolitan Oakland International Airport and Sacramento. The information was noted and ordered filed.

Oakland Aviation Corporation was the subject of a letter to the Board from the Port Attorney, notifying the Board that the tenant is again in arrears to the Port and has been served with a 30 day Notice of Termination of License and Concession Agreement, due to expire on March 10, 1976. It was recommended that the Port Attorney be authorized to bring an action in unlawful detainer on the expiration date of the Notice of Termination. The recommendation was approved on passage of Resolution No. 23115.

Claim of Mark Vande Pol was the subject of a letter to the Board from the Port Attorney, notifying the Board that a claim has been filed for alleged disappearance of certain personal property which was secured during certain police action against William E. Shuler on the Port's portion of the Howard Terminal Pier No. 2. It was recommended that the claim be rejected, as the Port was acting as an uncompensated bailee and did exercise reasonable care for the stored property. The recommendation was approved on passage of Resolution No. 23116.

Mr. Harold Andreasen appeared before the Board on the continued matter of adequate insurance coverage for the operation of drag boat races at the Airport Marina. The Manager, Properties Department informed the Board that his department to date had been unable to find any company that provided adequate coverage, but that it was apparently available. Mr. Andreasen informed the Board that in other areas of drag boat racing the landlord and/or sponsoring agent relied on their general liability insurance

coverage. First Vice President Walters asked Mr. Andreasen to continue his attempts to find the proper insurance, and asked that the item be continued on the Calendar until the situation could be resolved. During further discussion, Commissioner Soda moved that the Airport Marina be put on official notice that the holding of drag boat racing would not be considered as proper use of the premises until the insurance question had been resolved. The motion was seconded and passed unanimously.

The following written reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of March 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of February 24, 1976.

Summary of Claims Paid from Various Funds for the Period February 5, 1976 through February 18, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Soda and First Vice President Walters - 5

Noes: None

Absent: Commissioner Connolly and President Mortensen - 2

RESOLUTION NO. 23102

RESOLUTION AWARDING CONTRACT TO J. H. FITZMAURICE, INC. FOR CONSTRUCTION OF ADDITION TO RENTAL CAR READY AND CHECK-IN LOT, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23103

RESOLUTION GRANTING PUGET CATERERS, INC., PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23104

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH FERMA CORPORATION."

"RESOLUTION NO. 23105

RESOLUTION ACCEPTING WORK PERFORMED BY FERMA CORPORATION AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23106

RESOLUTION CONSENTING TO SUBLEASES BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23107

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23108

RESOLUTION AUTHORIZING EXECUTION OF TEMPORARY LEASE AGREEMENT WITH YUSEN KOGYO CO., LTD."

"RESOLUTION NO. 23109

RESOLUTION AUTHORIZING CERTAIN TRAVEL."

"RESOLUTION NO. 23110

RESOLUTION ASSIGNING CURTIS JOHNSON, TRUCK DRIVER AND LABORER, TO SCHEDULE 42, RATE "E" AS FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23111

RESOLUTION RATIFYING MATERNITY LEAVE OF ABSENCE GRANTED TO EVONNE YFANTIS, SENIOR SECRETARY."

"RESOLUTION NO. 23112

RESOLUTION APPROVING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23113

RESOLUTION REJECTING CLAIM OF MYRTLE MAC DONALD."

"RESOLUTION NO. 23114

RESOLUTION REJECTING DEMAND BY R.E.G., INC."

"RESOLUTION NO. 23115

RESOLUTION AUTHORIZING FILING OF ACTION BY PORT ATTORNEY AGAINST OAKLAND AVIATION CORPORATION."

"RESOLUTION NO. 23116

RESOLUTION REJECTING CLAIM OF MARK VANDE POL."

"RESOLUTION NO. 23117

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23118

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23119

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH ASSOCIATED CABS, INC."

"RESOLUTION NO. 23120

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23121

RESOLUTION ON THE PASSING OF CLIFFORD D. ALLEN."

Port Ordinance No. 1983 being, "AN ORDINANCE AMENDING SECTION 10.4 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", and Port Ordinance No. 1984 being, "AN ORDINANCE AMENDING SECTION 9.122 TO, PORT ORDINANCE NO. 867 RECLASSIFYING ONE EXISTING POSITION OF BUILDING MAINTENANCE ENGINEER TO PORT SENIOR BUILDING MAINTENANCE ENGINEER", and Port Ordinance No. 1985 being, "AN ORDINANCE AMENDING SECTION 5.162 OF PORT ORDINANCE No. 867 CHANGING THE SALARY OF EQUAL OPPORTUNITY ASSISTANT IN CONNECTION WITH PARTICIPATION IN THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Soda and First Vice President Walters - 5

Noes: None

Absent: Commissioner Connolly and President Mortensen - 2

Port Ordinance No. _____ being "AN ORDINANCE REPEALING SECTIONS 2, 3 AND 5 OF PORT ORDINANCE NO. 1981 RELATING TO WHARFAGE", and Port Ordinance No. _____ being, "AN ORDINANCE ADDING SECTION 8.0635 TO, AND AMENDING SECTIONS 11.03 AND 12.031 OF, PORT ORDINANCE NO. 867 CREATING TWO POSITIONS OF ENGINEERING INTERN (PART-TIME) AND RECLASSIFYING ONE EXISTING POSITION OF TARIFF AND TRAFFIC CLERK TO WHARFINGER", were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Soda and First Vice President Walters - 5

Noes: None

Absent: Commissioner Connolly and President Mortensen - 2

At the hour of 3:10 p.m. the meeting was adjourned out of respect to and in memory of Clifford D. Allen, until 2:00 p.m., Wednesday, March 10, 1976.

* *

The meeting scheduled for 2:00 p.m., Wednesday, March 10, 1976 was adjourned by the Secretary of the Board due to the absence of all the members of the Board.

Christy L. Marshall
Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, March 17, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Commissioners absent: Soda - 1

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Assistant Port Attorney; for part of the meeting, Deputy Port Attorneys Joe Colbath and Richard Griffin; Chief Engineer; Assistant Chief Engineer; Director of Airport Planning; Director of Aviation; Airport Manager; Commercial Representative, North Field; Port Employee Relations Officer; Manager, Properties Department; Traffic Representative Robert O'Malley; Port Equal Opportunity Employment Officer; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. William Bradley, representing American President Lines; Mr. Edward Engs, representing Engs Motor Truck Company; Mr. Chauncey Newcomb, representing Sierra Academy; Attorney Donald K. Gayden, representing C.E.T.A. employee James E. Duncan; Mrs. Dione T. Williams and Mr. Harold Andreasen, representing Oakland Marina; Mr. and Mrs. Boots Erb, representing the Bow & Bell Restaurant; Attorney Thomas F. Camp, representing Oakland Aviation; and Attorney Robert Clifford and Mr. Abdo Allen, representing Mr. Allen's demolition company.

The minutes of the regular meeting of March 3, 1976 and the adjourned regular meeting of March 10, 1976 were approved as submitted and ordered filed.

Board of Port Commissioners Meeting
Secretary
Action APR 7 1976
APPROVED AS SUBMITTED
AND ORDERED FILED

Vending Concession at North Airport was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the vending machine operator for the North Airport and employees' lunchroom has ceased business operations. It was noted that this vending concession is a marginally economic operation with resulting inadequate service and quality. It was recommended that the Board approve a policy of terminating the exclusive vending contract at the North Airport, that the standard provision regarding exclusive vending rights be eliminated in all future leases and license agreements, and be eliminated from present agreements upon specific request of the tenant. It was noted that the Port would provide vending service to buildings under its direct control or in a multi-tenant building. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Sierra Academy Lease was the subject of a memo to the Board from the Manager, Properties Department, recommending approval in principle for a new ten-year lease for their office and classroom building. Basic terms of the lease are: total occupancy of Building L-130 and certain surrounding area, at a total monthly rental of $3,852.12; rental review period at two-year intervals, based on the then prevailing rates for similar space at the North Field. Within one year, Sierra Academy would perform certain interior renovations and landscaping improvements estimated to cost $50,000. Prior to the commencement of the lease term, the Port would perform structural repairs and paint the entire building exterior at an estimated cost of $37,000. Additionally, the Port would make certain improvements to the exterior of the building, at an estimated cost of $50,000. The lease term would commence upon completion of the Port's structural repairs and exterior remodeling. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Traffic Congestion and Baggage Congestion at the Airport was the subject of a memo to the Board from the Executive Director, notifying the Board that a review has been made of the automobile and baggage claim area congestions when peak periods occur. It was noted that prior to the Easter vacation peak travel time, certain parking meters in front of the Terminal Building would be removed, and discussion would begin with the car rental companies to relocate their service booths. Additional concepts considered were the development of a new public transportation site near the Terminal Building to accommodate taxis, buses, charter buses, limousine car service and the BART shuttle bus; relocation of the rental car ticket counters to a window area opposite their present location; upon resolution of the current legal restraints, an expansion to add a third baggage carousel; and the development of an additional ticketing facility location for new carriers desiring space at the Terminal. The information was noted and ordered filed.

Attorney Thomas F. Camp, representing Oakland Aviation Corporation, appeared before the Board to request that the Board withdraw action against his client as they were now able to pay all monies due the Port. The Port Attorney informed the Board that Oakland Aviation had a history of rent arrearages. After discussion, a motion by Commissioner Berkley, seconded and passed unanimously, directed staff to accept the cashier's check for all monies due the Port, continue the occupancy of the tenant, charge the tenant $500 for the Port's legal costs in conjunction with the present action, and make provision for the tenant to pay any future legal costs associated with his rent arrearages. Attorney Camp accepted the condition for Oakland Aviation's continued tenancy.

License Agreement Renewal--Aerospace Services was the subject of a memo to the Board from the Manager, Properties Department, recommending approval of a new agreement covering

their space in Buildings L-710, L-819 and L-921 for use in their general aviation business, at a monthly rental of $4,302.43. The recommendation was approved on a motion by Commissioner Berkley, seconded and passed unanimously.

License Agreement Renewal--Aero-Repairs was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a new agreement for their space in Building L-210 for use in their light aircraft business, at a new total monthly rental of $821.90. The recommendation was approved on a motion by Commissioner Berkley, seconded and passed unanimously.

Rental Rates for Airport Mail Boxes was the subject of a memo to the Board from the Airport Manager, notifying the Board that new mail boxes were being installed to service tenants in the South Airport Terminal, and it was recommended that the rental rates to cover the cost of the service be established by ordinance. The recommendation was approved on an ordinance passed to print.

Assignment of Lease--Pacific Aerial Surveys was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for the assignment of Pacific Resources, Inc. lease, covering 6,411 sf in Building L-643, to Pacific Aerial Surveys. It was noted that the new company is owned by the same principals and that they have acquired all the assets and liabilities of the company. The recommendation was approved on passage of Resolution No. 23122.

Contract Completion, Construction of Plane-Mate Openings, East Wall of Terminal Building M-102 was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with Lohsen Company be extended through February 27, 1976, as the work was stopped by order of the court, and the contract be accepted as complete as of that date, with a contract price of

$32,521.15. The recommendation was approved on passage of Resolution No. 23123 for time extension and Resolution No. 23124 for accepting contract.

Proposed Lease for Yellow Cab Air Cargo Building was transmitted to the Board by letter from the Port Attorney, with an additional memo from the Manager, Properties Department, recommending approval of a new lease for their air cargo building, which will end April 30, 1979. It was noted that the option period in the original lease had expired and the new lease provides for the same terms which prevailed had the option been renewed in a timely manner. The recommendation was approved by an ordinance passed to print.

Proposed Lease with C. D. Ericson Company was transmitted to the Board by letter from the Port Attorney, with an additional memo from the Manager, Properties Department, recommending approval of the lease, covering approximately 3.25 acres located at Eighth and Embarcadero. The new lease is necessary to accommodate the expansion of the Ninth Avenue Terminal by relocating the Ericson Company. Basic provisions in the lease include: Termination date of December 31, 1980; a rental of $1,800.21 per month; use of the premises will be for importing, processing, warehousing, storage, and distribution of steel pipe and other related products; the right of Ericson to remove their relocated building and addition on termination of the lease; the Port will reimburse Ericson $19,302.96, the actual cost of relocating the office building, in the form of rental credits; the Port has constructed two canopy shelters and made Building H-229 available to Ericson as replacement for a building at their old location. The recommendation was approved on an ordinance passed to print.

Jack London Square Planning Study was the subject of a memo to the Board from the Deputy Executive Director, notifying

the Board of the meeting and the report prepared by the Jack London Square Advisory Committee. At the request of Commissioner Walters, the item was held over to be discussed at a work session.

Airport Marina Insurance, a continued item, was the subject of oral discussion. Mr. Harold Andreasen, operator of the proposed drag boat races, appeared before the Board, noting that certain insurance was available through the Power Boat Association. The Manager, Properties Department and Deputy Port Attorney Richard Griffin, informed the Board that the insurance was not adequate, and the Port was still exposed to possible claims. After discussion, a motion by Commissioner Gainor, seconded and passed unanimously, directed staff to meet with the Port's insurance carrier and establish the criteria that the Oakland Marina Drag Boat Races' insurance coverage must meet to satisfy adequate protection for the Port.

Award of Contract for Revisions to Parking Lots 5 and 7 Jack London Square was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the thirteen bids received, and recommending award of the contract to the Neil Shooter Company, the low bidder at $66,359.00. The recommendation was approved on passage of Resolution No. 23125.

Application to Construct Guest Berths, Finger Dock and Associated Gangway at the Rusty Scupper Restaurant was the subject of a memo to the Board from the Port Environmental Planner, notifying the Board of the application, and recommending that the required public hearing be set for 2:15 p.m., Wednesday, April 7, 1976. The recommendation was approved on a motion by Commissioner Berkley, seconded and passed unanimously.

Building Permit Application for Engs Truck Company, Oakland Airport Business Park was the subject of a memo to the Board from the Port Environmental Planner, recommending approval

for the installation of light poles and floodlights on their leased premises for security purposes and insurance requirements. The estimated cost of the work is $8,000. The project is categorically exempt, and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23126.

Approval of Sublease--Ringsby Pacific was the subject of a memo to the Board from the Manager, Properties Department, recommending approval of a sublease from Ringsby Pacific for Milne Truck Lines for certain space in their truck terminal at 7th and Maritime Streets. The recommendation was approved on passage of Resolution No. 23140.

Contract Completion - Demolition of Buildings E-207 and E-211, Middle Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with Joseph D. Ballinger & Co. be extended without liquidated damages through February 7, 1976 and the contract be accepted as complete as of that date with a contract price of $9,340.00. The recommendation was approved on passage of Resolution No. 23127 for time extension and Resolution No. 23128 for accepting contract.

Change Order on Contract for Installing Railroads, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending approval for two change orders to the contract with Branaugh Excavating, Inc. for reconstruction of Outer Harbor railroad tracks to provide for a storm line encasement to sustain the loads from the railroad equipment, and to provide a new parking area for Sea-Land, as the original parking area was needed to relocate the tracks. Estimated cost of the work is $17,000. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Contract Completion, Construction of Bonded Fence on Second Floor of Building B-302, Outer Harbor Terminal was the subject of a memo to the Board from Supervising Engineer Roy A. Clark, notifying the Board that the contractor was 18 days beyond the completion date, and it was recommended that liquidated damages in the amount of $1,800 be assessed. Commissioner Walters informed the Board that he would abstain from discussion or voting in the matter. Mr. William Rose, of Bar Fence, appeared before the Board to state that the delays were made necessary by late delivery of the material. After discussion, the item was held over to allow Bar Fence to provide an adequate documentation of their claim.

Contract Completion, Demolition of Building C-106, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, notifying the Board that the Abdo S. Allen Company, the contractor, was 53 days over the contract time, and it was recommended that liquidated damages in the amount of $8,000 be assessed. Attorney Robert Clifford, representing the contractor, appeared before the Board to state that the reasons for the delay were legitimate and no damages should be assessed. During discussion the Port Attorney advised the Board that the matter should be discussed in an executive session. The item was continued until conclusion of the scheduled executive session.

Reimbursement to American President Lines for Middle Harbor Terminal Facility was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board that improvements to the terminal required by American President Lines and funded by Seatrain construction account have been in excess of the $100,000 provided for in the letter agreement. It was

recommended that the Board approve an increase of $20,252.53 to cover the total cost of the improvements. The funds will be charged to the Certificate of Indebtedness Construction Fund, and Seatrain has approved the payment from the fund. The recommendation was approved on passage of Resolution No. 23141.

Contract Completion - Construction of Two 10 Inch Pipelines at Berth 5 and in Ferry Street Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending the contract with W. R. Thomason Company be accepted as complete as of February 27, 1976, with a contract price of $167,824.83 for the work. The recommendation was approved on passage of Resolution No. 23130.

Building Permit Application - American President Lines, 1395 Middle Harbor Road was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements in their office building. The estimated cost of the proposed work is $30,000. The project is categorically exempt, and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23131.

Plans and Specifications for a Fire Service Cross Connection at Ferry and Fourteenth Streets was the subject of a memo to the Board from the Supervising Electrical/Mechanical Engineer, recommending their approval and authority to advertise for bids for the construction of a 10-inch fire service line at the Outer Harbor Terminal. The project is categorically exempt, and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23149.

Lease Agreement with Dallas Market Center for Port Display was the subject of a memo to the Board from the Manager, Marine Trade Development Department, recommending approval to

renew the lease agreement in the Trade Center, covering space for the Port's static display, at an annual cost of $960. The recommendation was approved on passage of Resolution No. 23132.

Employees Honesty Bond and Money and Securities Insurance was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the policy insuring against any fraudulent or dishonest acts committed by any employee, and the loss of money and securities policy. It was recommended that the Board renew the policy with Fidelity & Deposit Company of Maryland for a three-year period, at a total premium of $5,597. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Easter Seal Telethon was the subject of a memo to the Board from the Public Relations Director, notifying the Board of a proposed nationwide fund-raising telethon, to be carried by KTVU, and recommending the Board approve of outside entertainment on the adjacent mall area. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Oakland Metropolitan Enterprises Special Impact Grant was the subject of a memo to the Board from the Executive Director, notifying the Board of the group and their request for a letter of support from the Port to include with their application for funding. The item was continued until further meetings and information from the group is available.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Donald R. Murphy, as Janitorial Helper (CETA), effective March 1, 1976, at $755 per month; Gordon F. Gullett, Thomas E. Simms, Craig D. Leipelt, as Airport Fueler (CETA), effective March 3, 1976, at $817 per month; Gregorio Munoz, as Construction Aide (CETA), effective

March 8, 1976, at $807 per month; Henry H. Glenn, as Wharfinger, effective March 18, 1976, at $1197 per month; Harriette V. Stewart, as Youth Aide, Class "A", effective March 18, 1976, at $5.93 per hour; and Jose L. Duenas, as Equal Opportunity Assistant (CETA), effective March 22, 1976, at $1045 per month. Also recommended was a leave of absence for Allen C. Wheeler, Electrican, Class "A", for military leave for twelve working days. The recommendation was approved on passage of Resolution No. 23133 for appointments, Resolution No. 23134 for leave of absence and Resolution No. 23135 for CETA appointments. Included in the memo was a recommendation for termination of CETA Airport Fueler James E. Duncan. Attorney Donald K. Gayden, representing Mr. Duncan, appeared before the Board to request that the item be continued until he could further review the matter. The item was continued until April 7, 1976 with the understanding that the Airport Manager would continue Mr. Duncan's current suspension through that date.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of the Commercial Representative, North Field, to Phoenix, Arizona, on or about March 25, 1976, to review the Sky Harbor Airport facilities; the travel of the Port Attorney to Curacao on or about April 21, 1976, to attend the International Association of Ports and Harbors Executive Committee Meeting; the travel of the Executive Director to Curacao, on or about April 26, 1976, to attend the International Association of Ports and Harbors Executive Committee and Special Committee on Containerization and Barge Carriers Meetings. The recommendation was approved on passage of Resolution No. 23136.

Disposal of Lifting Beams was the subject of a memo to the Board from the Manager, Purchasing Department, recommending authority to dispose of surplus beams by receipt of informal bids. The recommendation was approved on passage of Resolution No. 23137.

Claim of William E. Shuler Against the City of Oakland was the subject of a letter to the Board from the Port Attorney, notifying the Board of a claim against the Port in the amount of $100,000,000.00 for alleged personal injuries. It was recommended the claim be denied. The recommendation was approved on passage of Resolution No. 23138.

Purchase of Marco Polo Restaurant was the subject of a letter to the Board from the Port Attorney, notifying the Board that certain delays have been encountered with respect to the escrow involving the personal property. It was recommended that the Board approve an extension of time through April 8, 1976. The recommendation was approved on passage of Resolution No. 23139.

Bootjack, Inc. was the subject of a letter to the Board from the Port Attorney, notifying the Board that the operator of the Bow & Bell Restaurant is in rental arrears in the amount of $8,170.40, and has a county tax arrearage in the amount of $26,963.20. It was recommended that the Port Attorney be authorized to file an action in unlawful detainer. Mr. Boots Erb appeared before the Board and requested no action be taken, as he could pay the rent arrearage by Friday, March 19, 1976 and has established a payment schedule with the county. Additionally, Mr. Erb informed the Board that he was planning a major refinancing program, to be presented to the Board at a later date. After discussion, the Board did not take action on the Port Attorney's recommendation, and asked Mr. Erb to take positive approaches on his financial commitments.

At the hour of 4:05 p.m. the Board entered into executive session with the Port Attorney, and reconvened in open session at the hour of 4:40 p.m.

The Chief Engineer recommended liquidated damages in the amount of $8,000 be assessed against the Abdo S. Allen Company, as further negotiations with the company would not produce positive results. It was noted that the Port could expect a claim and resultant litigation in the matter. The recommendation was approved on passage of Resolution No. 23129.

President Mortensen informed the Board by letter that he had met with Mayor Corica of Alameda, and that they have proposed several approaches to ease the tension between the two jurisdictions and help to resolve disputes for both airport operations and land use planning in the vicinity of the Airport. He asked the Board to accept and pass by resolution a policy to prohibit all jet and large aircraft from either landing or taking off from North Field Runways 27 Left and 27 Right over the Bay Farm Island area of Alameda. President Mortensen noted that by taking this voluntary action, noise impacts will be shifted away from existing residential areas with the hopeful intent that new homes will not be permitted in noise-sensitive areas adjacent to the main jet runway. Attached to the President's letter was a letter from Mayor Corica, expressing the appreciation of the Alameda City Council and Alamedans in general, of the proposed restriction of North Field jet operations. The Board thanked President Mortensen for his personal efforts in dealing with the land use problem of Bay Farm Island, and asked for his continued interest in the liaison committee, established by the two cities' mayors to consider mutual problems. Resolution No. 23150 was passed, prohibiting all jet and large aircraft from landing or taking off from the North Field.

The following written reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of March 9, 1976.

Summary of Cash and Accounts Receivable Port Revenue Fund #801 for the Month of March 9, 1976.

Accounts Receivable 35 Days or More in Arrears as of March 16, 1976.

Accounts Receivable Referred to Port Attorney as of March 16, 1976

Accounts Receivable - Other Departments as of March 16, 1976.

Summary of Claims Paid from Various Funds for the Period February 13, 1976 through March 5, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Noes: None

Absent: Commissioner Soda - 1

"RESOLUTION NO. 23122

RESOLUTION CONSENTING TO ASSIGNMENT OF LEASE FROM SUNDERLAND AERIAL PHOTOGRAPHS TO PACIFIC AERIAL SURVEYS."

"RESOLUTION NO. 23123

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH LOHSEN COMPANY."

"RESOLUTION NO. 23124

RESOLUTION ACCEPTING WORK PERFORMED BY LOHSEN COMPANY AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23125

RESOLUTION AWARDING CONTRACT TO NEIL SHOOTER CO. FOR REVISIONS TO PARKING LOTS 5 AND 7, JACK LONDON SQUARE; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23126

RESOLUTION GRANTING EDWARD W. ENGS, JR. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23127

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH JOSEPH D. BALLINGER & CO."

"RESOLUTION NO. 23128

RESOLUTION ACCEPTING WORK PERFORMED BY JOSEPH D. BALLINGER & CO. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23129

RESOLUTION ACCEPTING WORK PERFORMED BY ABDO S. ALLEN CO., ASSESSING LIQUIDATED DAMAGES AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23130

RESOLUTION ACCEPTING WORK PERFORMED BY W. R. THOMASON, INC. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23131

RESOLUTION GRANTING AMERICAN PRESIDENT LINES, LTD. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23132

RESOLUTION AUTHORIZING EXECUTION OF LEASE AGREEMENT WITH DALLAS MARKET CENTER COMPANY."

"RESOLUTION NO. 23133

RESOLUTION APPROVING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23134

RESOLUTION GRANTING MILITARY LEAVE OF ABSENCE TO ALLEN C. WHEELER, ELECTRICIAN, CLASS "A"."

"RESOLUTION NO. 23135

RESOLUTION CONCERNING CERTAIN APPOINTMENTS IN CONNECTION WITH PARTICIPATION IN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973."

"RESOLUTION NO. 23136

RESOLUTION AUTHORIZING CERTAIN TRAVEL."

"RESOLUTION NO. 23137

RESOLUTION AUTHORIZING SALE OF SURPLUS TELESCOPIC LIFTING BEAMS."

"RESOLUTION NO. 23138

RESOLUTION REJECTING CLAIM OF WILLIAM EVERETT SHULER."

"RESOLUTION NO. 23139

RESOLUTION GRANTING EXTENSION OF TIME TO MARCO POLO RESTAURANT CORPORATION."

"RESOLUTION NO. 23140

RESOLUTION GRANTING PERMISSION TO RINGSBY PACIFIC LTD. TO SUBLET PREMISES."

"RESOLUTION NO. 23141

RESOLUTION INCREASING AMOUNT AUTHORIZED FOR CERTAIN CONTAINER CRANE MODIFICATIONS."

"RESOLUTION NO. 23142

RESOLUTION APPROVING BONDS OF J. H. FITZMAURICE, INC."

"RESOLUTION NO. 23143

RESOLUTION AUTHORIZING EXECUTION OF THIRD SUPPLEMENTAL AGREEMENT WITH WESTERN TUBE AND CONDUIT CORPORATION AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23144

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH AEROSPACE SERVICES, INC. AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23145

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH SERVAIR OF CALIFORNIA, INC."

"RESOLUTION NO. 23146

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH FORTY-PLUS OF NORTHERN CALIFORNIA."

"RESOLUTION NO. 23147

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH AIRCRAFT SERVICE INTERNATIONAL, INC."

"RESOLUTION NO. 23148

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23149

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF A FIRE SERVICE CROSS CONNECTION, FERRY AND FOURTEENTH STREETS, OUTER HARBOR TERMINAL, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23150

RESOLUTION ESTABLISHING THE POLICY OF THE BOARD OF PORT COMMISSIONERS WITH RESPECT TO THE USE OF RUNWAYS AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT."

PORT ORDINANCE NO. 1986 being, "AN ORDINANCE ADDING SECTION 8.0635 TO, AND AMENDING SECTIONS 11.03 AND 12.031 OF, PORT ORDINANCE NO. 867 CREATING TWO POSITIONS OF ENGINEERING INTERN (PART-TIME) AND RECLASSIFYING ONE EXISTING POSITION OF TARIFF AND TRAFFIC CLERK TO WHARFINGER", and Port Ordinance No. 1987 being, "AN ORDINANCE REPEALING SECTIONS 2, 3 AND 5 OF PORT ORDINANCE NO. 1981 RELATING TO WHARFAGE", were read a second time and finally adopted by the following vote:

Ayes: Commissioner Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Noes None

Absent: Commissioner Soda - 1

Port Ordinance No. _____ being, "AN ORDINANCE ADDING SECTION 10.6 TO PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", and Port Ordinance No. _____ being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE WITH YELLOW CAB COMPANY", and Port Ordinance No. _____ being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH C. D. ERICSON COMPANY, INC.", were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Noes: None

Absent: Commissioner Soda - 1

At the hour of 4:50 p.m. the meeting was adjourned until 2:00 p.m., March 24, 1976.

* *

The meeting was reconvened on Wednesday, March 24, 1976, at the hour of 2:11 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding.

Commissioners present: Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Commissioners absent: Soda - 1

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Assistant Port Attorney; Deputy Port Attorney Richard Griffin; Chief Engineer; Manager, Properties Department; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. Karl Osterloh, representing Maintenance & Construction Systems; and Mrs. Dione T. Williams and Mr. Harold Andreasen, representing the American Power Boat Association.

Award of Contract for Alterations to Building L-606 for General Aviation Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the three bids received, and recommending award of the contract to Maintenance and Construction Systems, the low bidder at $47,777.00. The recommendation was approved on passage of Resolution No. 23151.

Speedboat Racing Insurance--Airport Marina was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of a meeting with the Oakland Association of Insurance Agents and with Harbor Insurance Company, the Port's primary general liability insurance carrier to determine the minimum insurance requirements to adequately insure the Port and not have an adverse effect on the Port's future premiums for the liability insurance. The insurance carrier recommended that the Port require one policy covering all liabilities arising from

speedboat racing, including participants' coverages without deductions or exclusions in the amount of $10,000,000 containing no limitations on cost of defense. Mrs. Dione Williams appeared before the Board to state that the required insurance was not available, and that the existing insurance was used nationwide and had never been questioned. During discussion, Commissioner Walters noted that if the racing assocations could provide a policy covering all liabilities, including participants, in the amount of $1,000,000, and it contained no limitation on cost of the defense, he would ask the Board to reconsider the request to hold drag boat races. President Mortensen stated that no races were to be held at the Marina until approved coverage was provided.

Approval of Change Order to Annual Railroad Contract to Construct Spur to Serve Abex Corporation was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board that it is necessary to construct a new spur into the Abex leased premises, as the existing spur must be moved to allow for the construction of the new container yards. It was recommended that the Board approve a change order in the amount of $19,996 for the Port's annual railroad contractor, the A. D. Schader Company, to perform the work. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Jack London Square Planning Study was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board of the meetings of the Jack London Square Advisory Committee, and that a report has been prepared which identified a planning area and identifies primary planning issues. It was noted that the scope of a proposed master plan

would require additional work and time. It was recommended that the committee report be accepted and the planning study be continued, concentrating on specific development alternatives for Port-owned property. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

At the hour of 2:40 p.m. the Board entered into executive session with the Port Attorney, and reconvened in open session at the hour of 3:10 p.m., during which time Commissioner Walters was excused from the meeting.

The Deputy Executive Director notified the Board that Bootjack, Inc. was still in arrears in rental payments although a partial payment had been made. The Port Attorney was directed to serve the lessee with a new 5-day notice to pay rent and to institute further action if necessary. It was noted that the further action would be ratified at the next meeting of the Board.

At the hour of 3:12 p.m. the meeting was adjourned on a motion duly made and seconded.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, April 7, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Gainor, Lange, Walters and President Mortensen - 5

Commissioners absent: Connolly and Soda - 2

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; for part of the meeting, Deputy Port Attorney Thomas Clark; Chief Engineer; Assistant Chief Engineer; Manager, Properties Department; for part of the meeting, Properties Department Representatives John Ablan and Robert O'Maley; Director of Airport Planning; Airport Manager; Commercial Representative, North Field; Employee Relations Officer; Director of Public Relations; and Secretary of the Board.

Visitors attending the meeting included Mr. Robert J. Lang, Chairman of the Oakland Aviation Council; Mr. Clint Ashby, representing Bay View Aviation; Mr. William Rose, representing Bar Fence Co.; Attorney Donald Gayden, representing CETA employee James E. Duncan; Mr. Richard Trudeau, representing East Bay Regional Park District; and Councilman John A. Sutter, representing Citizens Committee for San Leandro Bay.

Minutes of the regular meeting of March 17, 1976 and adjourned regular meeting of March 24, 1976 were approved as submitted and ordered filed.

At the hour of 2:15 p.m. a public hearing set by the Board to hear the application to Construct Guest Berths, Finger Dock and

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APPROVED AS SUBMITTED
AND ORDERED FILED

Associated Gangway at the Rusty Scupper Restaurant was continued until 2:15 p.m., Wednesday, April 21, 1976, on a motion by Commissioner Berkley, seconded and passed unanimously.

Proposed New North Airport Sign Policy was the subject of a memo to the Board from the Director of Airport Planning, notifying the Board of the limitations of the existing policy and recommending that the Board approve a new policy which would provide for greater flexibility in signing and retain provisions providing for aesthetically acceptable solutions to each tenant's sign requirements. It was noted that the policy had the cooperation of the Airport Planning, Properties and Engineering Departments of the Port and with the Oakland Aviation Council. The policy was attached with the recommendation that it be adopted by motion for a period of six months to allow for review. Mr. Robert Lang, Chairman of the Oakland Aviation Council, appeared before the Board to express his comments on the policy and the opportunity to participate in its formation. He asked that the review time be extended for a period of one year. After discussion, the sign policy was adopted on a motion by Commissioner Gainor, seconded and passed unanimously, with the review period to be one year before formal adoption by ordinance.

Lease Provision--Sale of Corporate Stock as an Assignment was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the present policy of the Port is to consider a change in ownership of 50% or more of the capital stock of a corporate tenant as a prohibited assignment unless approved by the Board. Recent negotiations with Trans World Airlines has brought attention to the fact that there is no reasonable way for the Port to know whether 50% or more of the corporate stock has changed hands in the case of a widely-held corporation.

For this reason, it was recommended that the provision be eliminated from leases and license agreements with major airline tenants. After discussion, the recommendation was approved for short-term license agreements with the provision remaining to cover possible mergers in any long-term leases on a motion by Commissioner Berkley, seconded and passed unanimously.

License Agreement Renewal--Clorox was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a new agreement for their space in Building L-210 and adjacent area for use as their corporate aircraft base, at a new monthly rental of $1,441.70. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

License Agreement Renewal--R. L. Grove was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a new agreement for their space in Building L-723 and adjacent area for use in their aircraft component sales and service business, at a new monthly rental of $722.98. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Airport Parking Rates was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to revise the parking rates in the long-term lot at the Airport to provide for the first hour a $.25 charge, for the second hour a $.50 charge and for two to four hours a $1.00 charge. It was noted that previously the rates for periods less than four hours did not exist for the long-term lot and the change will eliminate certain inequities between the two lots. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Contract Completion - Construction of Lighted Wind Cones, was the subject of a memo to the Board from Port Supervising Engineer, Roy A. Clark, recommending the contract with T. J. Gardner Co. be accepted as complete as of March 15, 1976, with a contract price of $15,500.00. The recommendation was approved on passage of Resolution No. 23153.

Approval of Subleases--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for William E. Larsen to operate a jewelry and jewelry kit shop in a revised location; Ronald J. Peters to operate a Moroccan import shop; Stephen L. Debnam to operate a candle shop; and Frank S. and Judy T. Lucchesi to operate a shoe, handbag and leather item shop. The recommendation was approved on passage of Resolution No. 23154.

Proposed Lease for the East Bay Regional Park District was transmitted by letter to the Board from the Port Attorney with an accompanying memo from the Deputy Executive Director, recommending approval of a lease for approximately 565 acres of submerged, tidal, marsh lands and upland portions of San Leandro Bay. The principal provisions in the lease include: a term of 25 years at $1 per year with an additional 25-year option; the term will not commence until the development plan is adopted by the governing bodies of the Park District and the Port; the development plan will describe the improvements and the schedule for their construction and will consider certain uses of the property. The basic use of the premises will be for a water-oriented park and recreational area; commercial uses will be permitted with the prior approval of the Port, subject to certain rental income considerations; operations of the marina, boat launching facilities, parking areas, children's rides, food snack bars and similar operations will be considered

as park use and not commercial. Any income received by the Park District from leases or its operations will be used for the maintenance, operation and additional improvements for the park area; the area at the head of Airport Channel may be leased by the Park District for restaurant use with the Port approving the conditions of the sublease; the Park District will be responsible for maintenance of the park and improvements on the premises and may raze any existing improvements on the premises except for improvements in the area of Bay Park Refuge. The Port has the right to construct transportation facilities below the surface of the park premises at any time. No transportation facilities are to be constructed above or across the surface of San Leandro Bay, or areas identified as Arrowhead Marsh and Doolittle Pond for ten years from the effective date of the lease, provided that after five years if the Port determines such a surface crossing is necessary, certain procedures are stated to provide for independent action which could provide for cancellation of the lease and potential relocation. The Park District has the right to terminate the lease after fifteen years upon one year's advance written notice if it determines the premises are no longer suitable for park purposes, and has the further right to terminate the lease at any time should its tax rate be reduced below the current level and as a result therefore be unable to maintain, operate and develop the park. The lessee is responsible for all the taxes with provisions providing for the removal of the area should it be included in an assessment district. The lease recognizes that the Port is in the process of removing certain billboards located on and near the proposed park premises and that no new billboards will be installed. The 7.3 acre parcel, known as Fan Marsh, located south of Doolittle Drive near the Alameda City line is not included in the park premises, it will

remain in its natural condition and the Port will not inhibit present tidal action until such time as development is authorized by BCDC and the Corps of Engineers. The Port will provide sufficient parking off the park premises for between 600 and 1000 cars when speedboat racing is held providing the Port specifically approves of the events in advance. The Port will grant the Park District the right of access over Port land from the end of Pardee Drive to the park in the vicinity of Arrowhead Marsh until Pardee Drive is extended to the area. The existing railroad crossings of Elmhurst Channel, Damon Channel, and East Creek Channel will be used for public access for pedestrians and cyclists providing they can be safely permitted in conjunction with the railroad activities. The parties agree that on the bay side of any future bridge crossing of San Leandro Creek, Elmhurst Channel, Damon Channel, and East Creek Channel there will be a pass for pedestrians and cyclists to insure uninterrupted public access, pedestrians and cyclists shall have access across, over or under transportation extensions into the premises. The lease describes possible alignments of potential BART and railroad extensions which could pass through park premises. The lease does not include three separately identified areas for future extensions of roads crossing San Leandro Creek and Damon Channel, but the areas may be temporarily used by the Park District. Also recommended was a separate letter agreement describing the type of work that can be done in the area not requiring building permits and provides that in the case of an emergency certain work can be performed immediately. Billboards described in the lease will be removed by the commencement of the term of the lease agreement. Mr. Richard Trudeau, Manager of the Park District, appeared before the Board to comment on the proposed new park and expressed his appreciation for the Port's efforts in

bringing the concept to reality. He noted that the Port could expect the development plan very shortly and that it was possible to go to bid on the work to be done within one year. He informed the Board that he would provide a status report approximately every four months on progress of the plan. Councilman John Sutter, appeared before the Board to express his comments on the new park and ask that the Board add further property to the park and encourage compatible development for areas near the park. The recommendation was approved on an ordinance passed to print and on passage of Resolution No. 23172, certifying review and consideration of the Environmental Impact Report.

Amendment to City Service Center Lease was the subject of a memo to the Board from the Deputy Executive Director, recommending approval of a Second Supplemental Agreement amending the City Service Center lease to delete the Bay Park Refuge portion of the City Service Center lease effective upon the date that the term of the lease with the Park District commences so that this area will be included in the San Leandro Bay Park. The recommendation was approved on passage of an ordinance to print.

Amendment to Bylaws and Administrative Rules was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board that during the recent negotiations with the Park District it was noted that the Board's Bylaws and Administrative Rules do not specifically authorize the Executive Director to act in the event of an emergency in granting building permits. It was recommended that the Board approve, in principle, an amendment to the Bylaws to grant the Executive Director authority to act in case of extreme emergencies that require immediate action on his part to grant permits or let contracts essential to alleviating the conditions creating the emergency. The recommendation was

approved on a motion by Commissioner Walters, seconded and passed unanimously.

Letter to Bay Conservation and Development Commission was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board that the Doolittle Pond area included in the Park plan is conditional upon approval of the Bay Conservation and Development Commission as the area was committed when the Port acquired the permit for the construction of the new Outer Harbor Container Terminal. The Commission has reviewed the lease draft and requested that the Board agree to subsequently lease Doolittle Pond area to an appropriate wildlife management agency or party in the event that the term of the San Leandro Bay park lease fails to commence or does not run for its full 50-year period. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously, with a notation that a resolution would be prepared to cover the agreement on behalf of the Port.

Building Permit Applications from the Oakland Village Corporation for Alterations to Sub-Leased Premises in Jack London Village was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior and improvements for two sub-tenants in the Village. The total cost of the improvements is estimated at $6,100. The Environmental Impact Report has been previously considered by the Board. The recommendation was approved on passage of Resolution No. 23155.

Rental Income Insurance was the subject of a memo to the Board from the Manager, Properties Deparrment, notifying the Board of the policy and of the quotations received for renewal of the coverage. It was recommended that the policy be placed

with Allied Insurance Company for a three-year period, at an annual premium of $10,285, based on an insured income of $5,500,000. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Mr. William Rose appeared before the Board on the continued item of Contract Completion for the Construction of Bonded Fence on the Second Floor of Building B-302. After brief discussion, the Chief Engineer notified the Board that he would review the matter and prepare a further recommendation for the meeting of April 21, 1976.

Change Order for Modifications to the Disposal Site for Dredging Being Done by Santa Fe-Pomeroy, Inc. was the subject of a memo to the Board from Port Supervising Engineer, Roy A. Clark, notifying the Board that certain spoil material must be disposed of at a location near the Farallones Islands. It was recommended that the Chief Engineer be authorized to execute a change order with the Santa Fe-Pomeroy contract to provide for the extra cost and disposing of the spoils at the Farallones disposal site. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

Letter Agreement with Pacific Telephone & Telegraph for use of Poles for Fire Alarm Services was the subject of a memo to the Board from the Assistant Chief Engineer, recommending that the Board execute letter agreements to provide for the relocation of the fire alarm service on their joint poles. The recommendation was approved on passage of Resolution No. 23173.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Betty J. Chinn, as Clerical Trainee, CETA, effective March 22, 1976, at $616 per month; Irma Castillon, as Clerical Trainee,

CETA, effective March 30, 1976, at $616 per month; Gary M. Caso and Peter M. Coleman, as Airport Fueler, CETA, effective March 24, 1976, at $817 per month; Terence Gee, as Engineering Intern, effective April 1, 1976, at $5.93 per hour; and Albert Lim, as Senior Mechanical and Electrical Engineer, effective April 8, 1976, at $1969 per month. Also recommended were leaves of absence for Alicia Chan, Associate Accountant, for a period of six calendar months, commencing April 15, 1976; Arnold Miller, Port Equal Opportunity Employment Officer, for 32 working days, commencing April 28, 1976; Jose Garcia, Janitor, for five working days, commencing July 12, 1976; and Raymond Boyle, Intermediate Traffic Representative and Traffic Analyst, one working day, with pay, for military leave. Further recommended was a new schedule of 56.3, rate "a", $1448 per month to rate "c", $1598 per month, for the position of "Port Senior Building Maintenance Engineer"; and creation of one position of "Port Electrician and Cable Splicer" with a new salary schedule of 55.3, rate "a", $1413 per month to rate "c", $1560 per month. The recommendations were approved on passage of Resolution No. 23156 for CETA employment; Resolution No. 23157 for appointments; Resolution No. 23158 for leaves of absence and on an ordinance passed to print for salary schedule in a creation of position. The recommendation for the termination of employment for CETA Airport Fueler, James Duncan, a continued item, was discussed with Attorney Donald Gayden, representing Mr. Duncan. After discussion, a motion by Commissioner Lange, seconded and passed unanimously, directed staff to transfer Mr. Duncan to the CETA position of Maintenance Learner and continue to monitor his employment record. It was noted that Mr. Duncan was under suspension during the period prior to the Board's review of the case and he waived any claim to back pay for that period.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of the Assistant to the Executive Director to Washington, D. C. on or about April 4, 1976, to review the Northern California Ports and Terminals Bureau Studies I and II with the Department of Commerce Maritime Administration; travel of the Director of Aviation to Los Angeles, California, Atlanta, Georgia, Miami, Florida, and New York, New York on or about April 5, 1976, to meet with airline representatives; travel of the Executive Director to Chicago, Illinois, on or about April 8, 1976, to attend the Board of Directors meeting of the International Cargo Handling Coordination Association, Inc.; travel of the Manager, Marine Trade Development Department, to Kansas City, Missouri and Chicago, Illinois, on or about April 12, 1976, for trade development purposes; and the travel of Marine Marketing and Commercial Representative, to Kansas City, Missouri and Denver, Colorado, on or about April 12, 1976, for trade development purposes. The recommendation was approved on passage of Resolution No. 23159.

Sale of Building P-102 was the subject of a memo to the Board from the Manager, Purchasing Department, recommending approval to dispose of Port Building P-102 by informal bid. The building is scheduled for demolition and it appears that it might have a salvage value. The recommendation was approved on passage of Resolution No. 23160.

Application of Hughes Airwest for Nonstop Authority in the Oakland-Las Vegas and Phoenix Markets, Civil Aeronautics Board Docket No. 27464 was the subject of a letter to the Board from the Port Attorney, notifying the Board that objections to the proposed service filed by Trans World Airlines and Western Airlines had been overruled and the matter will be assigned to an administrative law

judge who will determine the date of the hearing. The information was noted and ordered filed.

Application of World Airways for Scheduled Transcontinental Authority was the subject of a letter to the Board from the Port Attorney, notifying the Board that the Court of Appeals for the District of Columbia Circuit has scheduled oral argument on World's appeal of the ruling by the Civil Aeronautics Board dismissing their application for scheduled transcontinental air transportation service. It is recommended the Port Attorney be authorized to participate in the hearing. The recommendation was approved on passage of Resolution No. 23159.

Trans International Airlines, Inc., Saturn Airways, Inc., Transamerica Corporation and Howard J. Korth, Acquisition Agreement, Civil Aeronautics Board Docket No. 26951 was the subject of a letter to the Board from the Port Attorney, notifying the Board that President Ford and the Civil Aeronautics Board has approved the merger of Saturn with and into Trans International Airlines, Inc. The information was noted and ordered filed.

Automated Enterprises was the subject of a letter to the Board from the Port Attorney, notifying the Board that the firm has ceased doing business. It was recommended the firm be declared in default of their license and concession agreement and the Board declare forfeiture of the agreement. The recommendation was approved on passage of Resolution No. 23161.

Tommy Joe Butler Confession of Judgment was the subject of a letter to the Board from the Port Attorney, notifying the Board of the payments being made to the Port by Mr. Butler as a condition of his probation after his guilty plea to a charge of receiving stolen property. It was recommended that a judgment of confession be prepared and filed which permits the Port to avoid any problem with

the statute of limitation in the event that Butler fails to continue making monthly payments, and permits the Port to immediately execute on the judgment in such event. The recommendation was approved on passage of Resolution No. 23162.

Electro-Motion Pacific, Inc. v. Port of Oakland, et al was the subject of a letter to the Board from the Port Attorney, notifying the Board of the case resulting from emergency generator equipment at the Airport destroying itself during testing. Electro-Motion Pacific, Inc. filed for the recovery of $50,000.00 for reimbursement of the replacement of the generator and the court granted the Port summary judgment in the matter with Electro-Motion appealing the decision. The Court of Appeal upheld the Port's position and ruled that Electro-Motion was not entitled to indemnity in the matter. The information was noted and ordered filed.

REG, Inc. v. Port of Oakland, et al., Alameda County Superior Court Action No. H-38826-5 was the subject of a letter to the Board from the Port Attorney, notifying the Board that the Port had been served by REG to recover damages resulting from the Board's rejection of REG's bid and award of the contract for Grading of ILS Glide Slope Reflective Area at the Airport. It was noted that their bid was rejected as the bid bond was insufficient and that an earlier action by REG to receive the contract was denied by the court in June, 1975. The information was noted and ordered filed.

Lake Tahoe Service Investigation, Civil Aeronautics Board Docket No. 29000 was the subject of a letter to the Board from the Port Attorney, notifying the Board that the Civil Aeronautics Board has served an order instituting a proceeding designated as the Lake Tahoe Service Investigation involving service between Lake Tahoe and various points in the State of

California. The original temporary exemption authorities were granted to allow the carriers to establish and advertise travel packages with hotels and resorts in the State of Nevada. It was the CAB finding that the service to South Lake Tahoe was interstate rather than intrastate, as a substantial number of passengers proceed to points in Nevada. It was noted that the Board would be advised of further developments in the Civil Aeronautics Board prehearing conference scheduled for May 18, 1976 and the ongoing investigation by the Public Utilities Commission. The information was noted and ordered filed.

Clinton D. Ashby, an Individual doing Business as Bay View Aviation was the subject of a letter to the Board from the Port Attorney, notifying the Board that the tenant was in arrears in the amount of $10,402.70, and recommending that a suit be filed in unlawful detainer to affect collection of the amounts owed and to terminate the tenancy. It was also noted the license agreement has not been presented to the Board due to the arrearages. Mr. Ashby appeared before the Board to state certain reasons for his inability to pay the arrearages and that his current position is much stronger. After discussion, the Board declined to take action and directed Mr. Ashby to be current in his account within 120 days.

The following written reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of April 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of March 30, 1976.

Summary of Claims Paid from Various Funds for the Period March 3, 1976 through March 25, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

"RESOLUTION NO. 23153

RESOLUTION ACCEPTING WORK PERFORMED BY T. J. GARDNER CO. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23154

RESOLUTION CONSENTING TO SUBLEASES BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23155

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23156

RESOLUTION RATIFYING CERTAIN APPOINTMENTS IN CONNECTION WITH PARTICIPATION IN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973."

"RESOLUTION NO. 23157

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23158

RESOLUTION CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 23159

RESOLUTION CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 23160

RESOLUTION AUTHORIZING THE SALE OF SURPLUS BUILDING."

"RESOLUTION NO. 23161

RESOLUTION DECLARING DEFAULT AND FORFEITURE OF AGREEMENT BY AUTOMATED ENTERPRISES."

"RESOLUTION NO. 23162

RESOLUTION AUTHORIZING THE FILING OF CONFESSION OF JUDGMENT STATEMENT AND ENTRY OF JUDGMENT OF CONFESSION AGAINST TOMMY JOE BUTLER."

"RESOLUTION NO. 23163

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23164

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH HURRICANE INTERNATIONAL."

"RESOLUTION NO. 23165

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH PACIFIC INTER-ISLAND CO., LTD., AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23166

RESOLUTION AUTHORIZING RECORDATION OF BILL OF SALE FROM MARCO POLO RESTAURANT CORPORATION."

"RESOLUTION NO. 23167

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH ASSOCIATED AEROSPACE ACTIVITIES, INC."

"RESOLUTION NO. 23168

RESOLUTION APPROVING BONDS OF NEIL SHOOTER CO."

"RESOLUTION NO. 23169

RESOLUTION APPROVING BONDS OF MAINTENANCE AND CONSTRUCTION SYSTEMS."

"RESOLUTION NO. 23170

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23171

RESOLUTION AUTHORIZING AND DIRECTING RECORDATION OF DEED AND BILL OF SALE FROM PACIFIC INTER-ISLAND CO., LTD."

"RESOLUTION NO. 23172

RESOLUTION CERTIFYING REVIEW AND CONSIDERATION OF INITIAL STUDY AND NEGATIVE DECLARATION PREPARED FOR THAT CERTAIN LEASE DATED APRIL 1, 1976 WITH THE EAST BAY REGIONAL PARK DISTRICT."

"RESOLUTION NO. 23173

RESOLUTION AUTHORIZING EXECUTION OF INDEMNITY AGREEMENTS WITH PACIFIC TELEPHONE AND TELEGRAPH COMPANY AND WITH PACIFIC GAS AND ELECTRIC COMPANY."

"RESOLUTION NO. 23174

RESOLUTION ON THE PASSING OF DR. CHUJIRO HARAGUCHI."

Port Ordinance No. 1988 being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH C. D. ERICSON COMPANY, INC.", and Port Ordinance No. 1990 being, "AN ORDINANCE ADDING SECTION 10.6 TO PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

Port Ordinance No. ____ being, "AN ORDINANCE AMENDING SECTIONS 2.01 AND 9.122 OF, AND ADDING SECTION 9.111 TO, PORT ORDINANCE NO. 867 ADOPTING NEW SALARY SCHEDULES NOS. 55.3 AND 56.3, CHANGING THE SALARY OF PORT SENIOR BUILDING MAINTENANCE ENGINEER AND CREATING ONE POSITION OF PORT ELECTRICIAN AND CABLE SPLICER", and Port Ordinance No. ____ being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE WITH EAST BAY REGIONAL PARK DISTRICT", and Port Ordinance No. ____ being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH THE CITY OF OAKLAND AND DIRECTING RECORDATION THEREOF", were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

At the hour of 4:15 p.m. the Board entered into an executive session with the Port Attorney and reconvened in open session at the hour of 4:40 p.m., during which time Commissioner

Walters was excused from the meeting.

At the hour of 4:42 p.m. the meeting was adjourned out of respect to and in memory of Dr. Chujiro Haraguchi, on a motion duly made and seconded.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, April 21, 1976, at the hour of 2:06 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Connolly, Gainor, Lange and President Mortensen - 4

Commissioners absent: Berkeley, Soda and Walters - 3

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Deputy Port Attorney Thomas Clark; Chief Engineer; Assistant Chief Engineer; Director of Aviation; Airport Manager; Director of Airport Planning; Manager, Properties Department; Properties Department Representative John Ablan; Director, Fiscal Affairs; Manager, Purchasing Department; Public Relations Director; and Secretary of the Board.

At the hour of 2:15 p.m. the Board held a public hearing on the application of Borel Restaurant Corporation, to construct Guest Berths, Finger Dock and Associated Gangway at the Rusty Scupper Restaurant. The work would consist of the construction of two forty-foot long berths on the west side of the existing restaurant, a finger dock along the estuary side of the restaurant, and a gangway connecting the finger dock with the existing deck at the south end of the restaurant. There was no testimony in opposition to the project and the hearing was closed at the hour of 2:17 p.m. The Executive Director's report on the project was accepted and the fill permit was approved on passage of Resolution No. 23201

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Secretary
Action MAY 5 1976
APPROVED AS SUBMITTED
AND ORDERED FILED

and the building permit approved on passage of Resolution No. 23202. The approval was subject to the condition that the applicant obtain all other permits and enter into an agreement to provide rental to the Port for the Port's water area which will be used in conjunction with the Guest Berths.

Revised Airport Master Plan and Environmental Impact Report (EIR) - Contract with URS Research Company for Air Quality Section was the subject of a memo to the Board from the Director of Airport Planning, notifying the Board that a recent decision issued by the Court has made it necessary to revise the Master Plan and accompanying Environmental Impact Report to include in greater specificity a discussion of all necessary environmental considerations such as air quality, water quality, ground transportation, noise, wildlife, employment and geology. It was recommended that the Board approve the retention of URS Research Company to make the air quality study involving the operation of Oakland International Airport at a cost not to exceed $11,500. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Rock and Seal ILS Glide Slope Reflective Area, East End of Runway 27R, Metropolitan Oakland International Airport was the subject of a memo to the Board from the Assistant Chief Engineer, notifying the Board that during the recent wind storms, significant amounts of sand were blown off the Glide Slope area causing a hazard to planes landing and taking off at the North Field, and it was necessary to take corrective action which included the spreading of a four-inch blanket of crushed rock material over the sand and treating the surface with a seal coat of asphaltic material. When completed, the cost is estimated to be $62,000 with the Federal

Aviation Administration participating up to 80% of the costs. It was recommended that the Board ratify the work already done, approve of the project through completion, and find it in the best interest of the Port to dispense with the formal bidding procedures for the purchase of the rock and bituminous seal coat. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously, and on passage of Resolution No. 23200, dispensing with formal bidding procedures.

Air Traffic Promotion - Budget Amendment was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board that Delta Airlines will begin new service at Oakland on June 1, 1976 and that they are planning an extensive advertising and promotion program. It was recommended that the Board approve a revision in the Air Traffic promotion budget to add $20,000 for Port of Oakland additions to the Delta advertising campaign to bring the advertising budget to $140,000, port promotion to $5,000 and travel to $1,500 for the current year. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Fire and Theft and Collision Insurance on Airport Fuel Trucks was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the one quotation received to provide certain insurance on the various oil companies fuel vehicles and recommending that the insurance be placed with Fireman's Fund Insurance Company at an annual premium of approximately $15,539, subject to audit of the trucks' value. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Sale of Building L-863 was the subject of a memo to the Board from the Manager, Purchasing Department, recommending approval to receive informal bids to sell a surplus building at the North Field. The recommendation was approved on passage of Resolution No. 23175.

License Agreement Renewal--Bechtel was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their agreement for hangar space in Building L-810 for use as their corporate aircraft base at a total monthly rental of $1,476.08. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Amendment to Port Ordinance No. 1149 was the subject of a memo to the Board from the Director of Aviation, recommending approval to amend the ordinance to provide for one tenant operator at the Airport to provide services for a scheduled service operator who doesn't have leased space in the Terminal Complex. It was noted that the present wording provides for a charge of $.50 per passenger and was intended for itinerant carriers. The recommendation was approved on passage of an ordinance to print.

United Airlines Request to Sublease Counter Space to Delta Air Lines was the subject of a memo to the Board from the Director of Aviation, recommending approval of a sublease to allow for ticketing functions of Delta Airlines to be made at United's counter instead of at their present ticketing counter. It was noted that the project was categorically exempt and no environmental impact report was required. The recommendation was approved on passage of Resolution No. 23203.

New License Agreement--Oil Spill Control Systems was the subject of a memo to the Board from the Assistant Manager, Properties Department, recommending approval for a new license agreement with Oil Spill Control Systems, Inc., for shop, warehouse and display space in Building E-501, located between Grove Street and Clay Street piers for a total monthly rental of $512.46. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

New License Agreement--Earth Grains, Inc. was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a rental agreement with Earth Grains, Inc., a division of Kilpatrick's Bakery for 10,208 square feet of warehouse space in Building J-215 for the storage of processing equipment for a total monthly rental of $714.56. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Landscaping License--East Bay Municipal Utility District was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to enter into a landscaping license for a small, triangular land area at the Foot of Alice Street, to allow for Oakland Village Corporation to install and maintain landscaping on the District's property. The recommendation was approved on passage of Resolution No. 23176.

Building Permit Application from the Oakland Village Corporation for Alterations to Sub-Leased Premises in Jack London Village was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements for a sub-tenant in the Village.

The estimated cost of the work is $2,500. The recommendation was approved on passage of Resolution No. 23177.

Building Permit Application, The Ark Restaurant (Building P-116) was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the installation of two roof-mounted air conditioning units and a wooden fence to screen the units. The estimated cost of the work is $7,900. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23178.

Right of Entry--Alameda County Flood Control District was the subject of a memo to the Board from the Manager, Properties Department, recommending approval in principle, for the district to enter Port lands to perform certain work on the southwesterly side of San Leandro Creek Channel. It was noted that the plans for grading, paving and landscaping would be submitted to the Board for approval. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Plans and Specifications for Alterations to First Floor Port of Oakland Office Building F-107 was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval for work to be done in conjunction with the remodeling of the Johnson & Joseph store and other proposed tenants. The recommendation was approved on passage of Resolution No. 23198.

Award of Contract for Construction of Fire Service Cross Connection, Ferry and Fourteenth Streets, Outer Harbor Terminal was the subject of a memo to the Board from the Supervising Electrical and Mechanical Engineer, notifying the Board of the seven bids

received and recommending award of the contract to V. N. Vukasin, the low bidder at $19,845. The recommendation was approved on passage of Resolution No. 23179.

Contract Completion Replacement of Fender Piles and Chocks at Port of Oakland Wharves was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with Jensen and Reynolds Construction Company be accepted as complete as of May 13, 1976, with a contract price of $167,870. The recommendation was approved on passage of Resolution No. 23180.

All-Risk Insurance Coverage--Sea-Land Container Crane was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the coverage and of the quotations received. It was recommended that the insurance be placed with Marine Office-Appleton & Cox Company at an annual premium of $8,910. It was noted that Sea-Land will reimburse the Port in the amount of $5,410. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Procurement of 1976 Model Vehicles was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board of a need to replace certain vehicles in the Port's vehicle fleet. It was recommended that the Board authorize the procurement through the State of California Office of Procurement for ten new vehicles for various purposes at a total cost of $49,243.35. The recommendation was approved on passage of Resolution No. 23181.

Specifications and Authority to Advertise for Bids for Two (2) Sub-compact cars was the subject of a memo to the Board

from the Manager, Purchasing Department, recommending their approval. It was noted that the sub-compact two-door sedans are not available from the California State Office of Procurement and they must be acquired in the open market. The recommendation was approved on passage of Resolution No. 23182.

Appointment of Auditor to Examine June 30, 1976 Financial Statements was the subject of a memo to the Board from the Director, Fiscal Affairs, recommending approval to retain Coopers & Lybrand to examine the Port's financial statements for the current fiscal year at a fee not to exceed $18,000. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

General Comprehensive Liability Insurance--Top Excess Layers was the subject of a memo to the Board from Manager, Properties Department, notifying the Board of the top $20,000,000 layer of the Port's general comprehensive liability insurance and of the quotations received for Airport and non-Airport coverage. It was recommended that the Board approve of a program to retain comprehensive general liability coverages for non-Airport areas at a maximum of $46,000,000 through a policy with Midland Insurance Company and increase liability coverages at the Airport through policy layers with United States Aviation Insurance Group to a maximum of $100,000,000, at a total estimated annual premium of $28,700. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of the members of the Board and the Deputy Executive Director to Washington, D. C.,

on or about April 25, 1976, in connection with Airport business; the Executive Director and the Deputy Executive Director to Vancouver, B. C., on or about May 18, 1976, to attend the Pacific Basin Economic Council Meeting; travel of the Terminal Superintendent and Traffic Representative, Associate Engineer Ralph Gin and Fire Inspector Joseph P. Bonne to Seattle, Washington, on or about June 9, 1976, to attend the U. S. Department of Commerce Maritime Administration Marine Fire Protection Project Conference; and members of the Board and the Assistant to the Executive Director to Seattle, Washington, to attend the Pacific Coast Association of Port Authorities Directors Meeting. The recommendation was approved on passage of Resolution No. 23183.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of James Duncan, as Construction Aide, C.E.T.A., effective April 8, 1976, at $807 per month; William Harden and Albert Martinez, as Airport Fuelers, C.E.T.A., effective April 14, 1976, at $817 per month; and Marie Doering, as Intermediate Clerk, effective April 21, 1976, at $804 per month. Also recommended was the salary increase for Airport Servicemen Stanley Kopacz to step "f" of salary schedule 43.1, $1,589 per month, in recognition of extra duties being performed. Additionally recommended were military leaves of absence for Charles A. Boyd, Port Environmental Planner, for ten working days with pay and Raymond A. Boyle, Intermediate Traffic Representative and Traffic Analyst, for two working days with pay. The recommendations were approved on passage of Resolution No. 23184 for appointments; Resolution No. 23185 for salary increase; Resolution No. 23186 for military leave of absence; and Resolution No. 23187 for C.E.T.A. appointments.

Award of Contract for Furnishing and Delivering Eleven (11) Radio Transceivers was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board of the one bid received and recommending the award of the contract to General Communication Engineers at $6,970.37. The recommendation was approved on passage of Resolution No. 23188.

Claim of Abdo S. Allen was the subject of a letter to the Board from the Port Attorney, notifying the Board of the disputed contract completion date for work done at the Outer Harbor Terminal and that the Contractor has filed a claim to recover liquidated damages which were assessed by the Board. It was recommended that the Board approve a compromise and settlement on the matter and make payment of $5,539.00. The recommendation was approved on passage of Resolution No. 23189.

City of Alameda v. City of Oakland, San Francisco County Superior Court Action No. 694-559. was the subject of a letter to the Board from the Port Attorney, notifying the Board that the Court has dismissed from that action two causes of action alleging that the Port is creating a nuisance, in part because it is intentionally and willfully operating the Airport in such a way as to create unreasonable noise for residents of the plaintiff City of Alameda and over plaintiff Harbor Bay Isle Associates' real property in the City of Alameda. The Court has dismissed these charges and it is anticipated that the third cause of action will be dismissed on a motion for summary judgement. The information was noted and ordered filed.

At the hour of 2:25 p.m. the Board entered into executive session with the Port Attorney on legal matters and reconvened in open session at the hour of 2:35 p.m.

The following written reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of April 13, 1976

Summary of Cash and Accounts Receivable Port Revenue Fund #801 for the Month of April 13, 1976.

Accounts Receivable 35 Days or More in Arrears as of April 20, 1976.

Accounts Receivable Referred to the Port Attorney as of April 20, 1976.

Accounts Receivable - Other Departments as of April 20, 1976.

Summary of Claims Paid from Various Funds for the Period March 25, 1976 through April 8, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Connolly, Gainor, Lange and President Mortensen - 4

Noes: None

Absent: Commissioners Berkley, Soda and Walters - 3

"RESOLUTION NO 23175

RESOLUTION AUTHORIZING THE SALE OF SURPLUS BUILDING."

"RESOLUTION NO. 23176

RESOLUTION AUTHORIZING EXECUTION OF REVOCABLE LANDSCAPING EASEMENT WITH EAST BAY MUNICIPAL UTILITY DISTRICT."

"RESOLUTION NO. 23177

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23178

RESOLUTION GRANTING PIER 29, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23179

RESOLUTION AWARDING CONTRACT TO V. N. VUKASIN FOR CONSTRUCTION OF A FIRE SERVICE CROSS CONNECTION, FERRY AND FOURTEENTH STREETS, OUTER HARBOR TERMINAL; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23180

RESOLUTION ACCEPTING WORK PERFORMED BY JENSEN AND REYNOLDS CONSTRUCTION COMPANY AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23181

RESOLUTION AUTHORIZING PURCHASE OF MOTOR VEHICLES BY DEPARTMENT OF GENERAL SERVICES OF THE STATE OF CALIFORNIA."

"RESOLUTION NO. 23182

RESOLUTION APPROVING SPECIFICATIONS FOR FURNISHING AND DELIVERING TWO CHEVROLET CHEVETTE SUBCOMPACT SEDANS TO THE PORT OF OAKLAND, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23183

RESOLUTION CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 23184

RESOLUTION APPOINTING MARIE DOERING TO THE POSITION OF INTERMEDIATE CLERK."

"RESOLUTION NO. 23185

RESOLUTION ASSIGNING STANLEY KOPACZ, AIRPORT SERVICEMAN, TO SCHEDULE 43.1, RATE "F", AS FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23186

RESOLUTION GRANTING CERTAIN MILITARY LEAVES OF ABSENCE."

"RESOLUTION NO. 23187

RESOLUTION RATIFYING CERTAIN APPOINTMENTS IN CONNECTION WITH PARTICIPATION IN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973."

"RESOLUTION NO. 23188

RESOLUTION AWARDING CONTRACT TO GENERAL COMMUNICATION ENGINEERS FOR FURNISHING AND DELIVERING ELEVEN (11) RADIO TRANSCEIVERS TO THE PORT OF OAKLAND AND FIXING THE AMOUNT OF BOND TO BE PROVIDED IN CONNECTION THEREWITH."

"RESOLUTION NO. 23189

RESOLUTION AUTHORIZING COMPROMISE AND SETTLEMENT OF CLAIM OF ABDO S. ALLEN."

"RESOLUTION NO. 23190

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23191

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH CHIPMAN CORPORATION, INC."

"RESOLUTION NO. 23192

RESOLUTION AUTHORIZING EXECUTION OF FOURTH SUPPLEMENTAL AGREEMENT WITH MARRIOTT CORPORATION AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23193

RESOLUTION AUTHORIZING EXECUTION OF THIRD SUPPLEMENTAL AGREEMENT TO OPTION AGREEMENT FOR SALE AND PURCHASE OF PLANE-MATES."

"RESOLUTION NO. 23194

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH ROGERS ENGINEERING CO., INC. - ENGINEERS & ARCHITECTS."

"RESOLUTION NO. 23195

RESOLUTION RATIFYING, CONFIRMING AND APPROVING LETTER AGREEMENT WITH SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION."

"RESOLUTION NO. 23196

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH WOODS CATERING."

"RESOLUTION NO. 23197

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23198

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR ALTERATIONS TO FIRST FLOOR, PORT OF OAKLAND OFFICE BUILDING F-107, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23199

RESOLUTION AMENDING THE BY-LAWS AND ADMINISTRATIVE RULES OF THE BOARD OF PORT COMMISSIONERS RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR."

"RESOLUTION NO 23200

RESOLUTION FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PERFORM CERTAIN PUBLIC WORK WITHOUT COMPETITIVE BIDDING AND AUTHORIZING AND RATIFYING THE PERFORMANCE THEREOF."

"RESOLUTION NO. 23201

RESOLUTION GRANTING FILL PERMIT TO BOREL RESTAURANT CORPORATION TO CONSTRUCT CERTAIN GUEST BERTHS, A FINGER DOCK AND AN ASSOCIATED GANGWAY ON PREMISES OF SANTA FE PLAZA CORPORATION."

"RESOLUTION NO. 23202

RESOLUTION GRANTING BOREL RESTAURANT CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23203

RESOLUTION GRANTING PERMISSION TO UNITED AIRLINES TO SUBLET PREMISES."

Port Ordinance No. 1991 being, "AN ORDINANCE AMENDING SECTIONS 2.01 AND 9.122 OF, AND ADDING SECTION 9.111 TO, PORT ORDINANCE NO. 867 ADOPTING NEW SALARY SCHEDULES NOS. 55.3 AND 56.3, CHANGING THE SALARY OF PORT SENIOR BUILDING MAINTENANCE ENGINEER AND CREATING ONE POSITION OF PORT ELECTRICIAN AND CABLE SPLICER", and Port Ordinance No. 1992 being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH THE CITY OF OAKLAND AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 1993 being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE WITH EAST BAY REGIONAL PARK DISTRICT", were read a second

time and finally adopted by the following vote:

Ayes: Commissioners Connolly, Gainor, Lange and President Mortensen - 4

Noes: None

Absent: Commissioners Berkley, Soda and Walters - 3

Port Ordinance No. _____ being, "AN ORDINANCE ESTABLISHING A TWO-HOUR PARKING METER ZONE FROM 8:00 A.M. TO 12 MIDNIGHT ON BOTH SIDES OF ALICE STREET BETWEEN EMBARCADERO WEST AND THE ESTUARY, ESTABLISHING PARKING RATES IN SAID PARKING METER ZONE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF", and Port Ordinance No. _____ being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH C. J. HENDRY COMPANY AND DIRECTING THE RECORDATION THEREOF", and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTION 10.3 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", were read the first time and passed to print by the following vote:

Ayes: Commissioners Connolly, Gainor, Lange and President Mortensen - 4

Noes: None

Absent: Commissioners Berkley, Soda and Walters - 3

At the hour of 2:36 p.m. the meeting was adjourned on a motion duly made and seconded.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, May 5, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Connolly, Gainor, Lange, Soda, Walters and President Mortensen - 7

Commissioners absent: None

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Chief Engineer; Assistant Chief Engineer; Port Supervising Engineer Roy A. Clark; Director of Aviation; Airport Manager; Manager, Properties Department; Commercial Representative; Port Contract Compliance Officer; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. Salvatore Marconi, representing a prospective restaurant operation; Mr. Edward Saravia, representing El Papagallo Restaurant and a prospective restaurant operation; Mr. Clint Ashby and Mr. Art Papish, appearing in conjunction with a sign proposal for Bayview Aviation; Mr. John L. Stevens, representing Mobil Oil Company; Mr. Lynn E. Newport, representing United Parcel Service; and Mr. James Ginter, appearing in conjunction with a proposed sign for A. B. Dick Company.

The minutes of the regular meeting of April 7, 1976; and the regular meeting of April 21, 1976, were approved as amended and ordered filed.

Service pins were awarded to Robert Crandall, Traffic Manager and Manager, Marine Terminals Department for ten years service; Wilse Allen, Chief Airport Serviceman for thirty years service and Walter Dos Santos, Equipment Mechanic for ten years service.

Board of Port Commissioners Meeting
Secretary
Action JUN 2 1976
APPROVED AS SUBMITTED
AND ORDERED FILED

President Mortensen introduced a letter to the Board, notifying the Board of his appearances before the Ways and Means Committee of the Oakland City Council and that it was reported to the Committee that the Port's funds can best be used in sustaining the economic impact of Port development which generates a very favorable cash flow to the City. It was noted that the City is experiencing financial difficulties and the Port would not ignore their problems. It was recommended that the Board approve an increase schedule of payments to the City, totaling more than $8,811,266.00 to retire both the outstanding City of Oakland General Obligation Bond for Airport development and reimburse the City for their past payments to service these bonds. The payment schedule provides for $450,000.00 each year with the first year producing $297,240.00 in new City revenue. The bonds will be retired in 1985 and the $450,000.00 payment through 1995 will be available for municipal purposes. The payments must, of legal necessity, be conditioned upon an annual determination by the Port Board that surplus funds are available after satisfying priority revenue bond covenants. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Sign Permit Applications From Bay View Aviation Port Building L-150, Metropolitan Oakland International Airport was the subject of a memo to the Board from the Port Environmenal Planner, recommending approval for the placement of signs at their location. Mr. Clint Ashby of Bay View Aviation, appeared before the Board to request that he be granted a variance to allow for an inscription not presently allowed within the language of the North Field sign policy. The item was held over until further information could be obtained.

Contract Completion Construction of Fencing at North Field Metropolitan Oakland International Airport was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark,

recommending that the contract with United States Steel Corporation be extended without liquidated damages through March 12, 1976 and the contract be accepted as complete as of that date with a contract price of $42,833.65. The recommendation was approved on passage of Resolution No. 23204 for time extension and Resolution No. 23205 for accepting contract.

License Agreement Renewals--Associated Aerospace Activities and S & S Accessory Overhaul was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for new agreements with Associated Aerospace Activities for 15,855 square feet in Building L-719 and Building L-723 for storage of their aircraft components at a monthly rental of $1,189.13; and for S & S Accessory Overhaul, a new agreement covering shop and warehouse space in Building L-804, L-814 and L-867 for its aircraft accessory overhaul and sales business at a total monthly rental of $758.25. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Approval of Subleases--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Mr. David A. Wainwright to operate an art gallery, handcrafts and gift shop and for Mr. Gary R. Zima to operate a home decoration accessory shop. The recommendation was approved on passage of Resolution No. 23206.

New Restaurant Lease--Jack London Square was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the two proposals received for the operation of a Mexican restaurant in the restaurant space on the first floor of the Port building. The two proposals were made by Mr. Sam Marconi, operater of the Iron Horse Restaurant in San Francisco and Mr. Ed Saravia, operator of the El Papagallo Restaurant in Concord. The basic provisions of the proposals were an initial minimum rental of $3,500 per month; a percentage rental of 6.5% from the Marconi

proposal and 7% from the Saravia proposal. The estimated investment for the cost of remodeling and furnishing, $200,000 for the Marconi proposal and $250,000 for the Saravia proposal. After considerable discussion, Commissioner Lange moved that the Board accept the proposal from Mr. Sam Marconi. The motion was seconded and passed on the following vote: Ayes - Commissioners Berkley, Connolly, Lange, Soda and President Mortensen - 5; Noes - Commissioners Gainor and Walters - 2; Absent - None.

Proposed Theater Expansion--Edgewater-Hyatt was the subject of a memo to the Board from the Manager, Properties Department, recommending approval in principal for the expansion of the theater by adding three smaller theaters to be connected to the present theater building for a total of 2,120 seats for the five theaters. The parking area would be expanded to 696 stalls. Included in the proposed Tenth Supplemental Agreement would be an exchange of areas which would give the Port a 1.92-acre parcel fronting on Oakport Street and a 1.82-acre parcel fronting on Edgewater Drive in place of the present Port parcel containing 3.74 acres fronting on Oakport Street. The rear of the present Port parcel on Oakport will be used for parking for the theaters. The Port would obtain the right for the use of the theater parking area for itself or its designees between the hours of 8:00 a.m. and 6:00 p.m on Monday through Friday, excepting holidays. The separate minimum rental to the Port would be increased from $1,166.66 per month to $1,666.67 per month. The recommendation was approved on a motion by Commissioner Connolly, seconded and passed unanimously.

Modification of Boundaries--United Parcel was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the limits of public access have now been established in the lease between the Port and East Bay Regional Park District for San Leandro Bay Park with the location of the line 75 feet northeasterly of the existing rear property line of the

United Parcel leased premises. It was recommended that the Board adopt by resolution, the limits of the public access behind the United Parcel facility and notify the Valacal Company that the Port intends to revise the description of the demised premises pursuant to the option it selects. The lessee has the option to retain the total leased area at 25 acres which would require the relocation of the rear boundary and a side boundary or to only relocate the rear boundary to the established limits of public access within 30 days of the Port's notice. The recommendation was approved on passage of Resolution No. 23209.

Building Permit Applications from the Oakland Village Corporation for Alterations to Sub-leased Premises in Jack London Village was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements for two sub-tenants. The total estimated cost of the work is $2,500. The recommendation was approved on passage of Resolution No. 23207.

Sign Permit Application by A. B. Dick Company, 7801 Edgewater Drive (Bldg. K-437) Airport Business Park was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the placement of two flush-mounted, non-illuminated wall signs at their location to read "A. B. Dick". The estimated cost of the project is $700. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23208.

Building Permit Application - Addition to United Parcel Service Distribution Facility, 8400 Pardee Drive was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of a 40,320 square foot addition to their existing building with related paving; grading; construction of a truck wash facility; and storm and sewer drainage systems connections. The estimated cost of the project is $600,000. The Environmental Impact Report was attached with a Negative

Declaration finding. The recommendation was approved on passage of Resolution No. 23209.

Approval of Sublease--Oakland Marina was the subject of a memo to the Board from the Manager, Properties Department, recommending approval of a sublease for the new operator of the Gangplank Restaurant. The operator pays 3% of the gross receipts to the Port. It was noted that the lease expires on August 31, 1976, and the area will be redeveloped as part of the Embarcadero Improvement Plan. The recommendation was approved on passage of Resolution No. 23210.

Hours of Operation--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the operating hours at the Village were in full compliance and that the operating hours would be continually reviewed. The information was noted and ordered filed.

Authorization to Dispense with Formal Bids for Placement of Surcharge Fill for Container Freight Station, Middle Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board that it was necessary to surcharge the area where the container freight station building is to be constructed and that the soils engineer has recommended that the fill be placed for at least six months. The building is presently scheduled to commence on December 1, 1976 and it was recommended that the Board certify the attached Environmental Impact Report with a Negative Finding and find it to be in the best interest of the Port to dispense with formal bidding procedures and to furnish and place 12,000 cubic yards of fill by a contract based on informal bids. The recommendation was approved on passage of Resolution No. 23211.

Port of Oakland Tariff Changes: Service and Facilities Charges, Dockage Rates, Wharfage Rates was the subject of a memo to the Board from the Manager, Marine Terminals and Traffic Manager,

recommending approval to eliminate certain obsolete items in the tariff, increase certain dockage rates by 15%, and increase certain wharfage rates by 12-1/2%. The recommendation was approved on passage of an ordinance to print.

Plans and Specifications for Construction of Office Building C-130, Berths 2 and 3, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the construction of an 8,500 square foot two-story building to be used by the Four Japanese Lines. The Environmental Impact Report for the Outer Harbor Container Terminal was previously certified by the Board. The recommendation was approved on passage of Resolution No. 23212.

Building Permit Application for the Relocation of a Lube Oil Loading Facility and the Construction of a Driver's Locker Room Mobil Oil Corporation was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the relocation of the lube oil facility and the construction of a new locker room. The present location of the facility will be deleted from their leasehold and used in the redevelopment of the Outer Harbor Container Terminal. The Environmental Impact Report for the area has previously been considered by the Board. The recommendation was approved on passage of Resolution No. 23213.

Application to Perform Maintenance Dredging in Oakland Inner Harbor Schnitzer Steel Products of California, Inc. was the subject of a memo to the Board from the Port Environmental Planner, notifying the Board of the application and recommending that the required public hearing be set for 2:00 p.m., Wednesday, May 19, 1976. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Draft EIR for the Market Street Terminal Area Redevelopment Plan was the subject of a memo to the Board from the Deputy

Executive Director, notifying the Board that the Draft Environmental Impact Report for the Redevelopment of the Market Street Terminal has been completed and is ready for public distribution. It was recommended that the Board authorize the filing of the Notice of Completion and the public distribution of the Draft Environmental Impact Report. It was also recommended that the Board set June 16, 1976 at the hour of 2:00 p.m. for public hearing on the redevelopment plan. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

City of Oakland Charter Amendments, Propositions R & S, June 8, 1976 was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board of the efforts being made by the City Government to provide solutions to relieve financial problems and that two propositions have been placed on the June ballot concerning the police and fire pension systems and the setting of salaries. It was recommended that the Board set forth a position supporting Proposition R relating to the amortization of the unfunded City contribution to the pension fund and Proposition S relating to the setting of the salaries of the police officers and firemen. The recommendation was approved on passage of Resolution No. 23223.

Summer Youth Program was the subject of a memo to the Board from the Port Contract Compliance Officer, notifying the Board of the continuing of the Port's program to provide jobs and job positions for Oakland youth. It was recommended that the Board approve of a Summer Youth Program to consist of forty-one Youth Aides in addition to the present fourteen positions and twenty positions for the employment of participants in the Summer Program for the Economically Disadvantaged Youth. The recommendation was approved on a motion by Commissioner Lange, seconded and passed on the following vote: Ayes: Commissioner Berkley, Connolly, Lange, Walters and President Mortensen - 5; Noes - Commissioners Gainor and Soda - 2; Absent - None.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Lynde Glisson, as Key Punch Operator (Part-Time), effective April 16, 1976, at $4.72 per hour; Jane Marquez, as Youth Aide, Class "B", effective April 21, 1976, at $3.36 per hour; Mark Shintani, as Clerical Trainee "B" (C.E.T.A.), effective April 22, 1976, at $776 per month; and Roderick Blanchette, as Construction Aide (C.E.T.A.), effective April 22, 1976, at $807 per month. Also recommended was the creation of four positions of Youth Aide, Class "C" and six positions of Youth Aide Class "A" to be used in participation in the Port's Summer Youth Program. The recommendation was approved on passage of Resolution No. 23214 for appointments, and Resolution No. 23215 for C.E.T.A. appointments and an ordinance passed to print for creation of positions.

Corps of Engineers Consulting Project was the subject of a memo to the Board from the Executive Director, notifying the Board that the Port, in a joint proposal with Marine Terminals Corporation, had been selected to perform consultant services in conjunction with the design operation and maintenance of two ports in Saudi Arabia, administered by the U. S. Corps of Engineers. It was recommended that the Board authorize the travel of the Executive Director and Chief Engineer to Livorno, Italy, and Saudi Arabia to perform an on-site evaluation of the scope of the project. Also recommended was that the Executive Director be authorized to negotiate a contract with the Corps of Engineers for services to be performed. The recommendation was approved on passage of Resolution No. 23225 and on a motion by Commissioner Lange, seconded and passed unanimously.

Certificate of Completion Fifty Foot Articulated Aerial Lift With Truck was the subject of a memo to the Board from the Manager, Purchasing Department, recommending that the contract with Utility Body Company be extended through April 1, 1976 and be accepted as complete as of that date. The recommendation was

approved on passage of Resolution No. 23216 for time extension and Resolution No. 23217 for accepting the conract.

Sale of Unsegregated Scrap Metal was the subject of a memo to the Board from the Manager, Purchasing Department, recommending approval to dispose of approximately 1,000 cubic feet of unsegregated scrap metal by informal bidding. The recommendation was approved on passage of Resolution No. 23218.

Specifications and Authority to Advertise for Bids for a Trenching Machine and a Trailer was the subject of a memo to the Board from the Manager, Purchasing Department, recommending their approval and authority to advertise for bids for the equipment. The recommendation was approved on passage of Resolution No. 23219.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of the Director of Aviation to New Orleans and Atlanta, on or about May 11, 1976, for meetings in conjunction with the promotion of the new Delta service; travel of the Manager, Air Traffic Development Department, to Jackson, Mississippi, and Dallas/Ft. Worth, on or about May 11, 1976, for meetings in conjunction with the new Delta service; travel of Joseph D. Allen, Marine Marketing and Commercial Representative, to Dallas, Texas and Oklahoma City, Oklahoma, on or about May 10, 1976, for trade development purposes; travel of David Forgie, Senior Marine Marketing Representative, to Dallas and San Antonio, Texas, on or about May 10, 1976, for trade development purposes; and the travel of John Cook, Assistant Mechanical and Electrical Engineer, to Erie, Pennsylvania, for the testing of the crane power and control systems being furnished for the Outer Harbor Terminal cranes. The recommendation was approved on passage of Resolution No. 23225.

East Bay Boat Works was the subject of a letter to the Board from the Port Attorney, notifying the Board that the President of East Bay Boat Works has filed for bankruptcy and it appears that the corporation will declare bankruptcy. It was recommended that

the Board find East Bay Boat Works in default of their license and concession agreement. The recommendation was approved on passage of Resolution No. 23220.

Ninth Supplemental Agreement with Edgewater Investment Company to Edgewater Hyatt House Lease was the subject of a letter to the Board from the Port Attorney, notifying the Board of a considerable delay in the execution of the supplemental agreement and that certain sections were relevant to the proposed expansion of the theater. The agreement has now been approved and executed by the Edgewater Investment Company and it was recommended that the Board execute the agreement. The recommendation was approved on passage of Resolution No. 23221.

Lake Tahoe Service Investigation, Civil Aeronautics Board Docket No. 29000 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the case and that the Civil Aeronautics Board considers service to points of California to the Tahoe Valley Airport to be interstate in nature, subject to its jurisdiction. It was recommended that the Board authorize the Port Attorney to attend the pre-hearing conference in Washington, D. C., scheduled to be held on May 18, 1976. The recommendation was approved on passage of Resolution No. 23225.

At the hour of 3:10 p.m., Commissioner Connolly was excused from the meeting. At the hour of 3:15 p.m. the Board entered into executive session with the Port Attorney and reconvened in open session at the hour of 4:25 p.m., during which time Commissioner Soda was excused from the meeting.

A continued item of Contract Completion for Construction of Bonded Fence on the Second Floor of Building B-302 was introduced to the Board by the Chief Engineer with the recommendation that the Board assess liquidated damages in the amount of $1,800 and that Bar Fence Company be paid $10,226.59 for the work. The resolution was approved on passage of Resolution No. 23232.

The following written reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of May 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of April 27, 1976.

Summary of Claims Paid from Various Funds for the Period April 8, 1976 through April 22, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

"RESOLUTION NO. 23204

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH UNITED STATES STEEL CORPORATION."

"RESOLUTION NO. 23205

RESOLUTION ACCEPTING WORK PERFORMED BY UNITED STATES STEEL CORPORATION AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23206

RESOLUTION CONSENTING TO SUBLEASES BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23207

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23208

RESOLUTION GRANTING A. B. DICK COMPANY PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23209

RESOLUTION GRANTING VALACAL COMPANY PERMISSION TO PERFORM CERTAIN WORK AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH."

"RESOLUTION NO. 23210

RESOLUTION GRANTING PERMISSION TO ALAMEDA YACHT HARBOR, INC. TO SUBLET PREMISES."

"RESOLUTION NO. 23211

RESOLUTION FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PERFORM CERTAIN WORK WITHOUT COMPETITIVE BIDDING, AUTHORIZING THE PERFORMANCE THEREOF AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH." (Furnishing and Placement of Surcharge Fill for Container Freight Station, Middle Harbor Terminal).

"RESOLUTION NO. 23212

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF OFFICE BUILDING C-130, BERTHS 2 AND 3, OUTER HARBOR TERMINAL, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23213

RESOLUTION AUTHORIZING MOBIL OIL CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23214

RESOLUTION RATIFYING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23215

RESOLUTION RATIFYING CERTAIN APPOINTMENTS IN CONNECTION WITH PARTICIPATION IN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973."

"RESOLUTION NO. 23216

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH UTILITY BODY COMPANY."

"RESOLUTION NO. 23217

RESOLUTION ACCEPTING ONE 50-FOOT ARTICULATED AERIAL LIFT AND TRUCK SUPPLIED UNDER CONTRACT WITH UTILITY BODY COMPANY."

"RESOLUTION NO. 23218

RESOLUTION AUTHORIZING SALE OF SCRAP METAL."

"RESOLUTION NO. 23219

RESOLUTION APPROVING SPECIFICATIONS FOR FURNISHING AND DELIVERING ONE TRENCHING MACHINE AND ONE TRAILER TO THE PORT OF OAKLAND, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23220

RESOLUTION DECLARING DEFAULT AND FOREFEITURE OF AGREEMENT BY EAST BAY BOAT WORKS."

"RESOLUTION NO. 23221

RESOLUTION AUTHORIZING EXECUTION OF NINTH SUPPLEMENTAL AGREEMENT WITH EDGEWATER INVESTMENT COMPANY AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23222

RESOLUTION AUTHORIZING ATTENDANCE OF PORT ATTORNEY AT CERTAIN PROCEEDINGS BEFORE THE CIVIL AERONAUTICS BOARD."

"RESOLUTION NO. 23223

RESOLUTION ESTABLISHING THE LIMITS OF THE PUBLIC ACCESS AREA ALONG SAN LEANDRO CREEK CHANNEL AND EXERCISING THE RIGHT TO REVISE THE DESCRIPTION OF PREMISES LEASED TO VALACAL COMPANY."

"RESOLUTION NO. 23224

"RESOLUTION ENDORSING AND SUPPORTING PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF OAKLAND."

"RESOLUTION NO. 23225

RESOLUTION AUTHORIZING CERTAIN TRAVEL."

"RESOLUTION NO. 23226

RESOLUTION APPROVING STATEMENT OF DENE OGDEN FOR APPRAISAL SERVICES."

"RESOLUTION NO. 23227

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH YELLOW CAB COMPANY OF ALAMEDA COUNTY."

"RESOLUTION NO. 23228

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH SHELL OIL COMPANY."

"RESOLUTION NO. 23229

RESOLUTION APPROVING BONDS OF V. N. VUKASIN."

"RESOLUTION NO. 23230

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23231

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange and President Mortensen - 4

Noes: None

Abstained: Commissioner Walters - 1

Absent: Commissioners Connolly and Soda - 2

"RESOLUTION NO. 23232

RESOLUTION ACCEPTING WORK PERFORMED BY BAR FENCE COMPANY, INC., ASSESSING LIQUIDATED DAMAGES AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

Port Ordinance No. 1994 being, "AN ORDINANCE ESTABLISHING A TWO-HOUR PARKING METER ZONE FROM 8:00 A.M. TO 12 MIDNIGHT ON BOTH SIDES OF ALICE STREET BETWEEN EMBARCADERO WEST AND THE ESTUARY, ESTABLISHING PARKING RATES IN SAID PARKING METER ZONE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF", and Port Ordinance No. 1995 being, "AN ORDINANCE AMENDING SECTION 10.3 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", and Port Ordinance No. 1996 being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH C. J. HENDRY COMPANY AND DIRECTING THE RECORDATION THEREOF", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

Port Ordinance No. _____ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO DOCKAGE, WHARFAGE RATES, WHARFAGE - RULES AND REGULATIONS, DEFINITION OF TECHNICAL TERMS AND SERVICE CHARGES", and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTION 9.18 OF PORT ORDINANCE NO. 867 CREATING SIX ADDITIONAL POSITIONS OF YOUTH AIDE, CLASS "A" AND FOUR ADDITIONAL POSITIONS OF YOUTH AIDE, CLASS "C", were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

At the hour of 4:30 p.m. the meeting was adjourned until 2:00 p.m., Wednesday, May 12, 1976.

* *

The meeting was reconvened on Wednesday, May 12, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding.

Commissioners present: Connolly, Gainor, Lange and President Mortensen - 4

Commissioners absent: Berkley, Soda and Walters - 3

Also present were the Deputy Executive Director; Port Attorney; Assistant Chief Engineer; Public Relations Director; and Secretary of the Board.

Agreement for Engineering Services for Design of Additional Improvements for APL and Seatrain, Middle Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending approval for the Board to execute an agreement with Jordan/Casper/Woodman/Dobson Architecture Structural Engineering, to design and prepare plans, specifications and detailed cost estimates for a container freight station building, a warehouse and storage building and alterations to the existing yard. Compensation will be on a fixed fee plus cost times multiplier basis for a maximum total payment of $94,400 unless additional work is authorized by the Executive Director. The Environmental Impact Report for the project has previously been considered by the Board. The recommendation was approved on passage of Resolution No. 23233.

Authorization to Increase Quantity of Surcharge Fill, Container Freight Station, Middle Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board that additional fill will be needed to adequately surcharge the area for the construction of the building. It was recommended that the Board increase the amount from 12,000 cubic yards to approximately 17,000 cubic yards. The recommendation was approved on passage of Resolution No. 23234.

Community Information Program was the subject of a memo to the Board from the Deputy Executive Director, recommending

approval to enter into a contract with the firm of Arnold, Palmer and Noble, Inc. to provide professional consulting services in reviewing the Port's community information program which would include an intensive survey to provide future guidance. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

At the hour of 2:03 p.m. the Board entered into executive session with the Port Attorney and reconvened in open session at the hour of 2:20 p.m.

The following resolutions were introduced and passed separately by the by the following vote:

Ayes: Commissioners Connolly, Gainor, Lange and President Mortensen - 4

Noes: None

Absent: Commissioners Berkley, Soda and Walters - 3

"RESOLUTION NO. 23233

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH JORDAN/CASPER/WOODMAN/DOBSON ARCHITECTURE STRUCTURAL ENGINEERING."

"RESOLUTION NO. 23234

RESOLUTION AMENDING RESOLUTION NO. 23211 FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PERFORM CERTAIN WORK WITHOUT COMPETITIVE BIDDING, AUTHORIZING THE PERFORMANCE THEREOF AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH."(Furnishing and Placement of Surcharge Fill for Container Freight Station, Middle Harbor Terminal).

"RESOLUTION NO. 23235

RESOLUTION AUTHORIZING PAYMENT OF CIVIL PENALTY ASSESSED BY THE UNITED STATES COAST GUARD."

"RESOLUTION NO. 23236

RESOLUTION AUTHORIZING EXECUTION OF LETTER AGREEMENT WITH EAST BAY REGIONAL PARK DISTRICT."

"RESOLUTION NO. 23237

RESOLUTION AUTHORIZING COMPROMISE AND SETTLEMENT OF LITIGATION WITH THE STATE OF CALIFORNIA ARISING OUT OF AN OIL SPILL IN THE OAKLAND ESTUARY."

At the hour of 2:22 p.m. the meeting was adjourned on a motion duly made and seconded.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, May 19, 1976, at the hour of 2:09 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Gainor, Lange, Soda, Walters and President Mortensen - 5

Commissioners absent: Berkley and Connolly - 2

Also present were the Deputy Executive Director; Port Attorney; Assistant Chief Engineer; Assistant Airport Manager; Manager, Properties Department; Properties Technician John Ablan; Director of Fiscal Affairs; Employee Relations Officer; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting including Mr. Jack Lindley, representing the Alameda County Flood Control District; Mr. Gary Schnitzer, representing Schnitzer Steel Products; Mr. Clint Ashby, representing Bay View Aviation; Mr. Norman J. Eggen, representing Damon Raike & Co.; Mr. Charles O'Connor representing Yellow Cab Company; Mr. J. L. Blakeslee, representing Western Package Freight Systems; and Mr. Don Durant, representing Embarcadero Cove Enterprises.

At the hour of 2:10 p.m. the Board held a public hearing on the application of Schnitzer Steel Products of California, Inc., to perform maintenance dredging in the Oakland Inner Harbor. The project is located within their licensed property and consists of the dredging of 4,000 cubic yards of silted material. The project is categorically exempt and an environmental impact report is not required. There was no testimony in opposition to the project and the Board received the Deputy Executive Director's report on the application. The hearing was closed at the hour of 2:12 p.m. and

Board of Port Commissioners Meeting
Secretary
Action JUN 16 1976
APPROVED AS SUBMITTED
AND ORDER FILED

the application was approved on passage of Resolution No. 23243.

Sign Permit Applications from Bay View Aviation, Port Building L-150 was the subject of a memo to the Board from the Port Environmental Planner, notifying the Board of the application and recommending approval for the placement of two business identification signs to read "Bay View Aviation, Sales, Service" on their hangar, and one free standing sign to read "Bay View Aviation, Sales, Service, Flight Training". It was noted that the applicant had requested the placement of additional wording not presently allowed in the sign policy. Mr. Clint Ashby of Bay View Aviation appeared before the Board to ask that a variance be granted to allow for the placement of a sign to read "FAA Approved Repair Station". After discussion, the staff recommendation was approved on passage of Resolution No. 23260, and the request of Mr. Ashby was denied.

Primary Comprehensive Liability Insurance--Airport was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the policy and of the quotation received for the coverage. It was recommended that the Board renew the policy with United States Aviation Insurance Group for a three-year period, with a first year premium of $47,500, subject to audit. The recommendation was approved on a motion by Commissioner Walters seconded and passed unanimously.

Proposed Yellow Cab Air Cargo Building Lease was transmitted to the Board by letter from the Port Attorney accompanied with a memo from the Manager, Properties Department, notifying the Board that the new lease for the building has been revised to remove any rights of assignment and recommending the Board give first reading of an ordinance covering the revised new lease. The recommendation was approved on an ordinance passed to print. Mr. Charles O'Connor appeared before the Board to request approval for a sub-lease to Western Package Freight Systems to occupy part of the building. The Deputy Executive Director notified the Board that

the proposed tenant is not Airport related and the tenancy would be changing the Board's policy. After discussion, the Board approved in principle the tenancy of the company on a motion by Commissioner Walters, seconded and passed unanimously.

Airport Automobile Parking Meter Rates was the subject of a memo to the Board from the Airport Manager, recommending approval to increase the parking rates in front of the Terminal to 25¢ per half an hour with a maximum of one hour. The recommendation was approved on an ordinance passed to print.

Contract Completion - Construction of Automatic Gates and Electrically Controlled Turnstiles at North Field was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending the contract with Schwartz & Lindheim be extended without liquidated damages thru March 24, 1976 and the contract be accepted as complete as of that date with a contract price of $142,064. The recommendation was approved on passage of Resolution No. 23238 for time extension and Resolution No. 23239 for accepting contract.

Sign Permit Application - Embarcadero Cove Enterprises Embarcadero Cove was the subject of a memo to the Board from the Port Environmental Planner, notifying the Board of the application to place a painted sign on the roof of Building J-216 to read 'Embarcadero Cove". It was noted the sign did not conform to the sign policy which does not allow for surface painted signs, and the total sign area was not in conformance with the policy. It was recommended the application be denied. Mr. Don Durant appeared before the Board to ask that a variance be granted to allow for the placement of the sign. After discussion, the Board asked the staff to review the sign policy and determine a criteria for roof signs.

Approval of Sublease--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department,

recommending appoval for Albert C. and Cyrilla H. Ernst to operate a cutlery shop in the Village. The recommendation was approved on passage of Resolution No. 23240.

Final Landscaping and Roadway Plans and Specifications for San Leandro Channel Flood Control Project was the subject of a memo to the Board from the Port Environmental Planner, recommending their approval. The plans were developed by the Alameda County Flood Control and Water Conservation District with the cooperation of the East Bay Regional Park District for lands owned by the Flood Control District and lands covered by the lease by the Park District from the Port as part of the future Regional Park at San Leandro Bay. The original permit called for the provision of public access to both sides of the channel including landscaping, all-weather walkway and bicycle path, benches, litter containers, drinking fountains and toilets. The submitted plans did not include benches, litter containers, drinking fountains, signs or toilets as these amenities will be provided by the Park District during the development of the Regional Park. The Environmental Impact Report for the area was previously considered by the Board. The recommendation was approved on passage of Resolution No. 23262 subject to the Flood Control District providing certain landscaping, amenities and maintenance in the event the Park District does not provide these services.

Building Permit Applications from the Oakland Village Corporation for Alterations to Sub-Leased Premises in Jack London Village was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the installation of certain interior improvements for two subtenants in the Village. The total cost of the improvements is $2,050. The recommendation was approved on passage of Resolution No. 23241.

Contract with Woodward-Clyde Consultants for Geotechnical Engineering Service, Embarcadero Cove Marina was the subject of a

memo to the Board from Port Supervising Engineer J. L. Lambert, recommending approval for the execution of the contract to provide the soils investigation for the proposed Marina, at a cost not to exceed $10,400 without prior written authorization from the Executive Director. The recommendation was approved on passage of Resolution No. 23242.

License Agreement Renewal--Chipman was the subject of a memo to the Board from the Assistant Manager, Properties Department, recommending approval to renew their agreement for office and warehouse space in Buildings B-203 and B-302 for the storage and distribution of import and export cargo, at a total monthly rental of $10,251.43. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

Reimbursement to United States Lines, Inc. for Design and Engineering Costs was the subject of a memo to the Board from the Director of Fiscal Affairs, notifying the Board that United States Lines, Inc. has accepted the office building owned by the Port and has submitted statements of expenditures for design and engineering costs paid by themselves. It was recommended the Board approve the reimbursement to United States Lines, Inc. of $177,503.98 for their initial cost in the engineering and design of the building. The recommendation was approved on passage of Resolution No. 23244.

Plans and Specifications for Demolition of Water Tower, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids. It was noted that the new fire services would be completed prior to demolition. The project is categorically exempt and the environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23245.

Plans and Specifications for Painting of Three Container Cranes was the subject of a memo to the Board from Port Super-

vising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids. It was noted that the alternative for painting only one crane would be available in the event there is no cost saving in painting all three. The project is categorically exempt and the environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23258.

Port of Oakland Tariff Changes Mobile Truck Crane was the subject of a memo to the Board from the Traffic Manager and Manager, Marine Terminals Department, recommending approval to increase the hourly rate for use of the cranes from $85.00 to $120.00 and reimburse the crane assignee the actual cost of fuel and maintenance. The recommendation was approved in concept on a motion by Commissioner Walters, seconded and passed unanimously. It was noted that an ordinance would be prepared and presented at a later date.

Replacement of Parking Meters was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board that it is necessary to acquire new parking meters for the Airport as it appears that extensive pilferage is occurring. The use of standardized parking meters has been recommended by the Oakland Police Department and the City Traffic Engineering Department. It is recommended the Board dispense with formal bidding procedures and purchase 50 Model 70 parking meters from the Traffic Appliance Corporation for $6,219.74. The recommendation was approved on passage of Resolution No. 23246.

Amendment to By-Laws was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board that recent action by the State Legislature has eliminated the election day holiday for the Port and has not provided for an additional holiday. It was recommended that the Board amend the By-Laws to provide for the Friday after Thanksgiving to be a Port observed holiday consistent with the City of Oakland's schedule of holidays. The recommendation was approved on passage of Resolution No. 23261.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Daniel H. Lemay, as Janitorial Helper (C.E.T.A.), effective May 3, 1976, at $755 per month; Terry L. Rosenlund, as Youth Aide, Class "B", effective May 10, 1976, at $3.36 per hour; Karapet S. Sedrakian, as Senior Mechanical & Electrical Engineer, effective June 1, 1976, at $1969 per month; and Robert R. Silva, as Construction Aide (C.E.T.A.), effective May 20, 1976, at $807 per month. The recommendation was approved on passage of Resolution No. 23247 for C.E.T.A. appointments and Resolution No. 23248 for appointments.

Sale of Surplus Building and Lifting Cranes was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board that a surplus building was sold for $111.12 and the surplus lifting cranes were sold for $2,500.00. The information was noted and ordered filed.

Award of Contract for Furnishing and Delivering Two (2) Subcompact Sedans was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board of the two bids received and recommending the award of the contract to Cochran & Celli, the low bidder, at $6,638.63. The recommendation was approved on passage of Resolution No. 23249.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of the Traffic Manager and Manager Marine Terminal Department to Detroit, Michigan and Cleveland, Ohio on or about May 25, 1976, to promote automobile exports and to attend the Containerization Institute Shippers Dialogue Seminar; and the travel of the Manager, Properties Department, to Milwaukee, Wisconsin on or about June 20, 1976, to attend the Annual International Seminar of the American Right of Way Association. The recommendation was approved on passage of Resolution No. 23250.

Claim of Joe Anna Adams was the subject of a letter to the Board from the Port Attorney, notifying the Board of the claim received for alleged injuries occurring at the Airport. It was recommended the claim be denied as investigation indicates that there is no liability on the part of the Port. The recommendation was approved on passage of Resolution No. 23251.

Claim of Clifford Gibson was the subject of a letter to the Board from the Port Attorney, notifying the Board of a claim received for alleged injuries occurring when his car was hit by a Port vehicle. It was recommended the claim be denied as investigation of the accident indicates no liability on the part of the Port. The recommendation was approved on passage of Resolution No. 23252.

Claude E. Blair v. Port of Oakland, WCAB Nos. 75 OAK 55269 and 55270 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the workers' compensation case and that a stipulated award has been concluded to provide a permanent disability award of 6.75 per cent, or $1,417.50 payable over 20.25 weeks and to the payment of medical, legal costs of $200.00 with the Port liable for future medical treatment not presently required but potentially necessary in the future. It was recommended the Board approve this stipulation. The recommendation was approved on passage of Resolution No. 23253.

The Deputy Executive Director notified the Board of the continued negotiations with the Bankruptcy Trustee concerning the acquisition of the REA leasehold on Port property. The building has potential use in conjunction with the new Outer Harbor Terminal and it was recommended that the Board approve a settlement with the Trustee to acquire the remaining lease period and building for $67,500.00. After considerable discussion, the recommendation was aapproved on a motion by Commissioner Soda, and passed on the following vote: Ayes - Commissioners Gainor, Lange, Soda, and President Mortensen - 4; Noes - None; Abstained - Commissioner Walters - 1; Absent - Commissioners Berkley and Connolly - 2.

Commissioner Soda asked that the staff investigate the possibility of increasing air cargo at the Airport with particular interest in automobile parts for Ford and General Motors, which are presently using a different Airport.

At the hour of 3:20 p.m. the Board entered into an executive session and reconvened in open session at the hour of 4:10 p.m. during which time Commissioner Lange was excused from the meeting.

The following written reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of May 11, 1976.

Summary of Cash and Accounts Receivable Port Revenue Fund #801 for the Month of April 1976.

Accounts Receivable 35 Days or More in Arrears as of May 18, 1976.

Accounts Receivable Referred to the Port Attorney as of May 18, 1976.

Accounts Receivable - Other Departments as of May 18, 1976.

Summary of Claims Paid from Various Funds for the Period April 20, 1976 through May 7, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Gainor, Soda, Walters and President Mortensen - 4

Noes: None

Absent: Commissioners Berkley, Connolly and Lange - 3

"RESOLUTION NO. 23238

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH SCHWARTZ & LINDHEIM, INC."

"RESOLUTION NO. 23239

RESOLUTION ACCEPTING WORK PERFORMED BY SCHWARTZ & LINDHEIM, INC. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23240

RESOLUTION CONSENTING TO SUBLEASE BY OAKLAND VILLAGE CORPORATION TO ALBERT C. ERNST AND CYRILLA H. ERNST."

"RESOLUTION NO. 23241

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23242

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH WOODWARD-CLYDE CONSULTANTS."

"RESOLUTION NO. 23243

RESOLUTION GRANTING PERMIT TO SCHNITZER STEEL PRODUCTS OF CALIFORNIA, INC. TO PERFORM MAINTENANCE DREDGING IN THE OAKLAND ESTUARY."

"RESOLUTION NO. 23244

RESOLUTION APPROVING REIMBURSEMENT OF UNITED STATES LINES, INC. FOR CERTAIN CONSTRUCTION COSTS."

"RESOLUTION NO. 23245

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR DEMOLITION OF WATER TOWER ADJACENT TO BUILDING B-302, OUTER HARBOR TERMINAL, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23246

RESOLUTION AUTHORIZING PURCHASE OF PARKING METERS WITHOUT COMPETITIVE BIDDING."

"RESOLUTION NO. 23247

RESOLUTION CONCERNING CERTAIN APPOINTMENTS IN CONNECTION WITH PARTICIPATION IN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973."

"RESOLUTION NO. 23248

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23249

RESOLUTION AWARDING CONTRACT TO COCHRAN & CELLI CHEVROLET FOR FURNISHING AND DELIVERING TWO (2) CHEVROLET CHEVETTE SUBCOMPACT SEDANS TO THE PORT OF OAKLAND; FIXING THE AMOUNT OF BOND TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING OTHER BID; AND DIRECTING RETURN OF BID BOND TO BIDDER."

"RESOLUTION NO. 23250

RESOLUTION AUTHORIZING CERTAIN TRAVEL."

"RESOLUTION NO. 23251

RESOLUTION REJECTING CLAIM OF JOE ANNA ADAMS."

"RESOLUTION NO. 23252

RESOLUTION REJECTING CLAIM OF CLIFFORD GIBSON."

"RESOLUTION NO. 23253

RESOLUTION AUTHORIZING COMPROMISE AND SETTLEMENT OF WORKERS' COMPENSATION CLAIMS WITH CLAUDE E. BLAIR."

"RESOLUTION NO. 23254

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH BAY AVIATION SERVICES, INC."

"RESOLUTION NO. 23255

RESOLUTION APPROVING BOND OF GENERAL COMMUNICATION ENGINEERING."

"RESOLUTION NO. 23256

RESOLUTION APPROVING BONDS OF O. C. JONES AND SONS."

"RESOLUTION NO. 23257

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23258

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR PAINTING OF THREE CONTAINER CRANES AT SEVENTH STREET TERMINAL, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23259

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH URS RESEARCH COMPANY."

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Gainor, Lange, Soda, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Berkley and Connolly - 2

"RESOLUTION NO. 23260

RESOLUTION GRANTING BAY VIEW AVIATION PERMISSION TO PERFORM CERTAIN WORK."

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Gainor, Lange, Walters and President Mortensen - 4

Noes: Commissioner Soda - 1

Absent: Commissioners Berkley and Connolly - 2

"RESOLUTION NO. 23261

RESOLUTION AMENDING THE BY-LAWS AND ADMINISTRATIVE RULES OF THE BOARD OF PORT COMMISSIONERS RELATING TO HOLIDAYS."

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Gainor, Lange, Soda, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Berkley and Connolly - 2

"RESOLUTION NO. 23262

RESOLUTION APPROVING FINAL PLANS AND SPECIFICATIONS OF ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT."

Port Ordinance No. 1997 being, "AN ORDINANCE AMENDING SECTION 9.18 OF PORT ORDINANCE NO. 867 CREATING SIX ADDITIONAL POSITIONS OF YOUTH AIDE, CLASS "A" AND FOUR ADDITIONAL POSITIONS OF YOUTH AIDE, CLASS "C", and Port Ordinance No. 1998 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO DOCKAGE, WHARFAGE RATES, WHARFAGE - RULES AND REGULATIONS, DEFINITION OF TECHNICAL TERMS AND SERVICE CHARGES", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Gainor, Soda, Walters and President Mortensen - 4

Noes: None

Absent: Commissioners Berkley, Connolly and Lange - 3

Amended Port Ordinance No. 1989 being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE WITH YELLOW CAB COMPANY", and Port Ordinance No. ____ being, "AN ORDINANCE AMENDING SECTION 275 OF PORT ORDINANCE NO. 1212 RELATING TO PARKING METER ZONES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", were read the first time and passed to print by the following vote:

Ayes: Commissioners Gainor, Soda, Walters and President Mortensen - 4

Noes: None

Absent: Commissioners Berkley, Connolly and Lange - 3

At the hour of 4:15 p.m. the meeting was adjourned until 2:00 p.m. Wednesday, May 26, 1976.

* *

The meeting was reconvened on Wednesday, May 26, 1976 at the hour of 2:20 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding.

Commissioners present: Berkley, Gainor, Walters and President Mortensen - 4

Commissioners absent: Connolly, Lange and Soda - 3

Also present were the Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Port Employee Relations Officer; Manager, General Aviation; Public Relations Director; and Secretary of the Board.

Manager, Marine Trade Development Department was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board of Mr. John Coughlan's resignation and recommending that the salary for the position be set at $1,900 per month. The recommendation was approved on an ordinance passed to print. It was noted that at the second reading of the ordinance, it would be recommended that Paul D. Forgie be appointed to the position.

At the hour of 2:30 p.m. the Board entered into executive session with the Port Attorney and reconvened in open session at the hour of 4:05 p.m.

Port Ordinance No. _____ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO CONTAINER CRANE ASSIGNMENTS AND RENTAL RATES", and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTION 11.002 OF PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF MANAGER, MARINE TRADE DEVELOPMENT DEPARTMENT", were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Gainor, Walters and President Mortensen - 4

Noes: None

Absent: Commissioners Connolly, Lange and Soda - 3

At the hour of 4:06 p.m. the meeting was adjourned until 2:00 p.m., Thursday, May 27, 1976.

* *

The meeting scheduled for 2:00 p.m., May 27, 1976, was adjourned by the Secretary of the Board to 9:00 a.m., Friday, May 28, 1976, due to the absence of all of the members of the Board.

* *

The meeting was reconvened on Friday, May 28, 1976 at the hour of 9:18 a.m., President Mortensen presiding.

Commissioners present: Connolly, Gainor, Lange, Walters and President Mortensen - 5

Commissioners absent: Berkley and Soda - 2

Also present were the Deputy Executive Director; Port Attorney; Deputy Port Attorney Thomas Clark; Assistant Chief Engineer; and Secretary of the Board.

At the hour of 9:20 a.m. the Board entered into Executive Session with the Port Attorney and reconvened in Open Session at the hour of 11:05 a.m., during which time Commissioners Berkley and Soda joined the meeting.

At the hour of 11:06 a.m., on a motion duly made and seconded the meeting was adjourned.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, June 2, 1976, at the hour of 2:10 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Commissioners absent: Soda - 1

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Chief Engineer; Assistant Chief Engineer; Director, Airport Planning; Director of Aviation; Airport Manager; Commercial Representative, North Field; Manager, Properties Department; Employee Relations Officer; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. Ralph Sharp, representing Charles O. Jones Company.

The minutes of the regular meeting of May 5, 1976; and the adjourned regular meeting of May 12, 1976, were approved as submitted and ordered filed.

The Board awarded Mr. Ansel Jefferies, Airport Serviceman, his twenty five year service pin.

Proposed Third Baggage Claim Device Terminal Building - Oakland Airport was the subject of a memo to the Board from the Director, Airport Planning, notifying the Board of the need to relieve the congestion associated with the baggage claim area and recommending that the Board authorize the preparation of plans and specifications for the installation of a third baggage claim device adjacent to the existing facilities. It was noted that a current Superior Court judgment enjoins the Port from proceeding

Board of Port Commissioners Meeting
Secretary Christy C. Marshall
Action JUL 7 1976
APPROVED AS SUBMITTED
AND ORDERED FILED

with projects covered by the Terminal Complex Expansion Program Environmental Impact Report which included the baggage claim device, until a judicially approved Airport Master Plan Environmental Report is prepared. Plans and specifications may be prepared prior to any such Environmental Impact Report and the Court may allow construction on the basis of a Negative Declaration. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Eureka Aero Industries, Inc. was the subject of a memo to the Board from the Director of Aviation, recommending approval for a license agreement with Eureka Aero, Inc., to occupy the recently vacated counter space used by Delta Airlines and subrent to Yosemite Airlines, 108 square feet of counter space. Both air taxi's operate out of the North Field and prefer to use the South Airport terminal for the convenience of their interconnection passengers. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Contract Completion Construction of Addition to Rental Car Ready and Check-in Lot was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending the contract with J. H. Fitzmaurice, Inc., be accepted as of May 21, 1976, with a contract price of $12,069.24. The recommendation was approved on passage of Resolution No. 23263.

Approval of Subtenant--Yellow Cab Air Cargo Building was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for the Yellow Cab Company to sublease 16,500 square feet to D & I Delivery Service for a non-Airport related delivery business. It was noted that the sublease contains a 6-month cancellation notice in the event an Airport-related operator desires the space. It was also noted that the Board was not setting a precedent for the use of the Airport by non-Airport related businesses. The recommendation was approved on passage of Resolution No. 23283.

License Agreement Renewals--World Airways was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their license agreement for Building L-510 for use as a warehouse and storage space at $2,624.40 per month. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

The Board discussed a report prepared by the Aviation Department and Aviation Committee entitled "North Airport Improvement Program". Basic to the Program was a reorganization separating certain responsibilities for management and operation of the North Field and the South Field. Additional recommendations were: a positive commitment to retain fuel sales by the Port; immediate capital expenditures to upgrade the services associated with the guest terminal; and an increase in rates for services at the North Field to provide for more and improved facilities. After discussion, the Board accepted the report on a motion by Commissioner Walters, seconded and passed unanimously.

Commissioner Gainor moved that the staff develop cost estimates and preliminary plans for a relocation of the bus positions and associated canopy to cover parts of the passenger loading areas in front of the terminal. The motion was seconded and passed unanimously.

Commissioner Walters moved that the staff develop plans to continue negotiations with the car rental companies to relocate their counters to provide more space for the baggage claim area. The motion was seconded and passed unanimously.

Loan Agreement with Department of Navigation and Ocean Development was the subject of a memo to the Board from Senior Engineer Paul H. Sorensen, notifying the Board that the agreement providing for a loan of $1,000,000 has been prepared and it was recommended that the Board execute the agreement. Basic provisions of the agreement are: a description of the area known as Embarcadero Cove; provisions for the demolition of existing buildings, shoreline

structures and marina structures; a small amount of dredging and fill; placement of rip-rap rock; construction of restrooms and harbor master facilities; curb, gutter and sidewalk along the Embarcadero; floatation and piling for approximately 140 new berths; and concession sites. The repayment provisions of the agreement include an interest rate of 4-1/2% on the unpaid balance; unused loan funds to be returned to the lender; repayment of the loan will be payable solely from the gross revenues from the operation of the facilities; first payment of principal and interest will be due on August 1, 1978; any surplus revenues exceeding a two-year reserve for operating and maintenance costs, may be required to be used for advance loan repayments; all rates, fees, rentals will be set to provide sufficient funds for the operations and maintenance of the project; the department may take over and operate the project if the Port fails to make any payments or otherwise breaches the agreement. The recommendation was approved on passage of Resolution No. 23284.

Rental Adjustment--Burns-Biotec was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that their ground lease on Oakport Street expires on October 31, 1976 and the lessee has two ten-year options. It was recommended that the rent be increased to $833.34 per month for the first ten-year option period. The rental is based on a 6% return of an approximate useable land value of $3.00 per square foot. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Approval of Sublease--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Thea Eckstein and Brigitte Heftmann to operate a European import shop in the Village. The recommendation was approved on passage of Resolution No. 23264.

Expansion of Mast Restaurant and Walkway to Jack London Village was the subject of a memo to the Board from the Manager,

Properties Department, notifying the Board that Mardeco, Inc., is planning certain improvements in their leased premises. Basic to the improvements is the expansion of the Mast Restaurant, which will require the overhanging roof and planter landscaping to encroach into the mall area. Mardeco will provide the Port an interim right of way for the Port to design, construct and maintain a 15-foot wide walkway from Heinhold's to Jack London Village. It was noted that when Mardeco redevelops portions of the property adjacent to the interim walkway, they will be required to provide a permanent walkway system to connect Jack London Village with the Jack London Square mall. Also included in the proposed improvement plan is the reconstruction of the Spice Box pier store and the marina fuel dock. It was recommended that the Board approve in principle, the encroachments of the restaurant expansion into the mall area and the proposed walkway. A Negative Declaration was attached. It was noted that the report would be certified at the time the revisions to the lease are presented for approval. The recommendation was approved on a motion by Commissioner Connolly, seconded and passed unanimously. Commissioner Walters asked that the staff make continued efforts and provide necessary correspondence to monitor the improvement program of the marina.

Award of Contract for Alterations to First Floor Port of Oakland Office Building F-107 was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of three bids received and recommending award of the contract to the Charles O. Jones Company, Inc., the low bidder at $41,000. The recommendation was approved on passage of Resolution No. 23265.

Building Permit Application from the Oakland Village Corporation was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements for a subtenant in the Village. The estimated cost of the proposed work is $2,700. The recommendation was approved on passage of Resolution No. 23266.

Building Permit Application for Construction of a Storage Shed, Merritt Ship Repair, Port Building G-302, 321 Embarcadero was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of a dry storage shed to store marine hardware and protect it from inclement weather. The estimated cost of the proposed work is $5,000. The project is categorically exempt and an Environmental Impact Report is not required. The recommendation was approved on passage of Resolution No. 23267.

U. S. Navy Lease Renewals was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew two separate leases for land in the Outer Harbor. One lease covers a 3.934-acre site at $15,081 for the year ending June 30, 1977. A 7.103-acre site has been the subject of negotiations to return it to the Port. The Navy has requested that the lease be renewed and has agreed to pay $33,700 for the year ending June 30, 1976 and $37,070 for the year ending June 30, 1977. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously for the conditions relating to the smaller parcel; and on passage of Resolution No. 23268 on the larger parcel.

Fireboat Insurance was the subject of a memo to the Board from the Manager, Properties Department, recommending that the policy be renewed with Marine Office-Appleton & Cox at an annual premium of $7,220 for the insurance on the fireboat. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

Amendment to Downtown Merchants Parking Management Agreement was the subject of a memo to the Board from the Manager, Properties Department, recommending approval in principle to amend the agreement with the Downtown Merchants to include Alice Street and the servicing of the Port-installed parking meters. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

Additional Fill for Outer Harbor Terminal Project was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, notifying the Board that additional fill is required on the work underway at the new container terminal. It was recommended that the Board approve a change order to be issued to the grading contractor to furnish the fill at a cost not to exceed $50,000. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

Plans and Specifications for Construction of Longshoremen's Buildings C-131 and C-318, Berths 2, 3 & 4 was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the construction of a 500 square foot concrete masonry restroom and lunchroom for longshoremen at Berths 2 & 3 and a similar building of approximately 850 square feet for Berth 4. The recommendation was approved on passage of Resolution No. 23269.

Plans and Specifications for Construction of Maintenance Building C-129, Berths 2 & 3 was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the construction of a 9,500 square foot steel building for container and equipment maintenance with a 1,700 square foot attached covered wash area. The recommendation was approved on passage of Resolution No. 23270.

Contract Completion Construction of Lighting, Fire Protection and Fencing at Berth 5, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that a contract with Allied Fire Protection be extended through May 11, 1976 without liquidated damage and the work be accepted as complete as of that date with a contract price of $35,425. The recommendation was approved on passage of Resolution No. 23271 for time extension and Resolution No. 23272 for accepting contract.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommend the appointment of John

V. Cook, as Associate Electrical & Mechanical Engineer, effective June 3, 1976, at $1,776 per month; and Theresa Gonzales, as Youth Aide, Class "B", effective June 3, 1976, at $3.36 per hour. Also recommended was a salary increase for Intermediate Typist Clerk Janet Palma to salary rate "d" of Salary Schedule 22, in recognition of extra duties being performed. Also recommended was a leave of absence for ten working days for Public Relations Representative David O. Weber. The recommendations were approved on passage of Resolution No. 23273 for leave of absence; and Resolution No. 23274 for salary increases; and Resolution No. 23275 for appointments.

Travel Authorization contained in a memo to the Board from the Executive Director recommended the travel of Marine Marketing and Commercial Representative Joseph D. Allen to Chicago, Illinois, on or about June 1, 1976, to meet with customs house brokers and to attend the annual meeting of the International Trade Club of Chicago; and the travel of the Executive Director and Deputy Executive Director to Washington, D. C., on or about June 14, 1976, to attend the Third Annual Meeting of the National Council for United States-China Trade. The recommendation was approved on passage of Resolution No. 23276.

Cohen Scrap Metal Co., Inc. v. The City of Oakland, et al.; The City of Oakland v. Cohen Scrap Metal Co., Inc., et al., Alameda County Superior Court Action No. H-33339-9 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the claim for losses allegedly resulting from breach by the Port of the terms of the lease with Cohen Scrap Metal Co. As there is an action pending on the Cohen Scrap Metal Co., it was recommended that the claim be denied. The recommendation was approved on passage of Resolution No. 23277.

At the hour of 2:50 p.m. the Board entered into executive session and reconvened at the hour of 3:45 p.m. in open session, during which time Commissioner Gainor was excused.

The following written reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of June 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of May 24, 1976.

Summary of Claims Paid from Various Funds for the Period April 27, 1976 through May 24, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Gainor and Soda - 2

"RESOLUTION NO. 23263

RESOLUTION ACCEPTING WORK PERFORMED BY J. H. FITZMAURICE, INC. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23264

RESOLUTION CONSENTING TO SUBLEASE BY OAKLAND VILLAGE CORPORATION TO THEA ECKSTEIN AND BRIGITTE HEFTMANN."

"RESOLUTION NO. 23265

RESOLUTION AWARDING CONTRACT TO CHARLES O. JONES CO., INC. FOR ALTERATIONS TO FIRST FLOOR, PORT OF OAKLAND OFFICE BUILDING F-107, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23266

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23267

RESOLUTION GRANTING MERRITT SHIP REPAIR CO. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO 23268

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT/ MODIFICATION NO. TWO OF LEASE FOR REAL PROPERTY WITH THE UNITED STATES OF AMERICA."

"RESOLUTION NO. 23269

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF LONGSHOREMEN'S BUILDINGS C-131 AND C-318, BERTHS 2, 3 & 4, OUTER HARBOR TERMINAL, OAKLAND, CALIFORNIA, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23270

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF MAINTENANCE BUILDING C-129, BERTHS 2 & 3, OUTER HARBOR TERMINAL, OAKLAND, CALIFORNIA, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23271

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH ALLIED FIRE PROTECTION."

"RESOLUTION NO. 23272

RESOLUTION ACCEPTING WORK PERFORMED BY ALLIED FIRE PROTECTION AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23273

RESOLUTION GRANTING LEAVE OF ABSENCE TO DAVID O. WEBER, PUBLIC RELATIONS REPRESENTATIVE."

"RESOLUTION NO. 23274

RESOLUTION TEMPORARILY ASSIGNING JANET PALMA, INTERMEDIATE TYPIST CLERK, TO SCHEDULE NO. 22, RATE "D", AS FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23275

RESOLUTION APPROVING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23276

RESOLUTION CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 23277

RESOLUTION REJECTING CLAIM OF COHEN SCRAP METAL CO., INC."

"RESOLUTION NO. 23278

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23279

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH GEORGE L. FAWKNER."

"RESOLUTION NO. 23280

RESOLUTION AUTHORIZING EXECUTION OF CONDITIONAL RIGHT OF ENTRY PERMIT TO ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT."

"RESOLUTION NO. 23281

RESOLUTION APPROVING BOND OF COCHRAN & CELLI CHEVROLET."

"RESOLUTION NO. 23282

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH GENERAL AVIATION SUPPLY."

"RESOLUTION NO. 23283

RESOLUTION GRANTING PERMISSION TO YELLOW CAB COMPANY TO SUBLET PREMISES AND CONSENTING TO NON-AIR CARGO TERMINAL USE OF THE SUBLEASED PREMISES."

"RESOLUTION NO. 23284

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH THE STATE DEPARTMENT OF NAVIGATION AND OCEAN DEVELOPMENT."

Amended Port Ordinance No. 1989 being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE WITH YELLOW CAB COMPANY", and Port Ordinance No. 1999 being, "AN ORDINANCE AMENDING SECTION 275 OF PORT ORDINANCE NO. 1212 RELATING TO PARKING METER ZONES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Connolly, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Gainor and Soda - 2

At the hour of 3:50 p.m. the meeting was adjourned until 2:00 p.m., June 9, 1976.

* *

The meeting was reconvened on Wednesday, June 9, 1976 at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding.

Commissioners present: Berkley Gainor, Lange, Walters and President Mortensen - 5

Commissioners absent: Connolly and Soda - 2

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney;

Chief Engineer; Employee Relations Officer; Public Relations Director; and Secretary of the Board.

Personnel Items was the subject of a memo to the Board from the Port Employee Relations Officer, notifying the Board that the Oakland City Council has mandated certain reductions in staff in order to balance the City budget and that a layoff list has been compiled. The results of the list have made it necessary to terminate eight Port employees as they will be replaced by City employees having more seniority. It was recommended that Samuel L. King, Robert L. Sloan, Raife Pickett, Jr., and Jose Llamas, all Janitors; Robert Nelson, Gregory Taylor, Shephen Jeros, and Joseph R. Dianda, all Semiskilled Laborer's, Class "B", be terminated. It was noted that all the employees involved will have reinstatement rights. After discussion, the recommendation was approved on passage of Resolution No. 23285.

Consultant Services Contract to Provide Assistance to the Corps of Engineers in the Construction of Two Saudi Arabia Ports was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the project, the recent on-site inspection of the project by the Executive Director and Chief Engineer, and that a contract has been negotiated with the Corp of Engineers to perform the detailing of all elements of the operation and maintenance of a Port complex. It was recommended that the Port execute the contract and approve in principle an agreement with Marine Terminals Corporation for certain consulting aspects in the operation of the ports. The basic lump sum payment to the Port is $187,000 and includes cost of labor, travel expenses, printing and other direct costs, as well as Port overhead and intangible costs. The Board asked that the date of the contract be established as May 14, 1976, to ensure that all costs associated with the project are covered. The recommendation was approved on passage of Resolution No. 23286.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Connolly and Soda - 2

"RESOLUTION NO. 23285

RESOLUTION TERMINATING CERTAIN APPOINTMENTS TO POSITIONS."

"RESOLUTION NO. 23286

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF THE ARMY."

At the hour of 2:10 p.m. the Board entered into executive session and reconvened at the hour of 3:10 p.m. in open session, during which time Commissioner Berkley was excused from the meeting.

At the hour of 3:15 p.m. the meeting was adjourned until 4:00 p.m., Monday, June 14, 1976.

* *

The meeting was reconvened on Monday, June 14, 1976 at the hour of 4:15 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding.

Commissioners present: Berkley, Connolly, Gainor, Lange, Soda, Walters and President Mortensen - 7

Commissioners absent: None

Also present were the Deputy Executive Director, Port Attorney, Deputy Port Attorney Thomas Clark, and Secretary of the Board.

Visitors attending the meeting included Attorney Edward Heaffy, special counsel to the Port.

At the hour of 4:16 p.m. the Board entered into executive session with the Port Attorney and reconvened in open session at

the hour of 5:40 p.m., during which time Commissioners Lange and Gainor were excused from the meeting.

At the hour of 5:42 p.m. the meeting was adjourned on a motion duly made and seconded.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, June 16, 1976, at the hour of 2:10 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Connolly, Gainor, Lange, Soda, Walters and President Mortensen - 7

Commissioners absent: None

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Assistant Chief Engineer; Director of Aviation; Airport Manager; Commercial Representative, North Field; Manager, Properties Department; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. Richard M. Cober and Ms. Marian Hixson, representing Jack London Village.

The minutes of the regular meeting of May 19, 1976; the adjourned regular meeting of May 26, 1976; the adjourned regular meeting of May 27, 1976; and the adjourned regular meeting of May 28, 1976 were approved as submitted and ordered filed.

Rental Abatement and Advertising Program--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the Jack London Village Merchants Association is recommending an intensive advertising campaign during the next six months. They have asked the Port to contribute to the the funding of the program. It was recommended that the Board approve a program of certain rental abatements due from Oakland Village Corporation, based on subtenant interior improvement allowance rental credits. The abatement would not exceed $15,000 in rentals due the Port and

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is conditional on the in lieu payment of the abated rent from the Oakland Village Corporation to the Jack London Village Merchants Association for advertising purposes; additional matching payments for advertising by Oakland Village Corporation to the Merchants Association of $2 for each $1 of industry trade-offs and $1 for $1 of actual cash contributions, and that the program has the approval of the Port's Public Relations Director. After discussion, the recommendation was approved on passage of Resolution No. 23287.

Testing Services Provided by Hales Testing Laboratories for Taxiways D and O was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, notifying the Board that during the construction of the taxiways, it was necessary to perform extensive testing on the strength of the concrete. It was recommended that the Board ratify the hiring of Hales Testing Laboratories and that they be paid $7,314.50 for the work performed. The recommendation was approved on passage of Resolution No. 23307.

License Agreement Renewal--Air Charter West was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their license agreement for shop and warehouse space in Building L-812, used for their air taxi and charter operations base at a total monthly rental of $972. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

License Agreement Renewal--Oakland Aviation Service was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their agreement for office and hangar space in Building L-230, for a total monthly rental of $1,058.63. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Supplement to License Agreement--Trans International Airlines was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Trans International Airlines

to add 15,750 square feet of land area so that they can install additional security fencing which would exclude Buildings L-528, L-530, L-532 and L-538 from the Airport security fencing and allow for ready access to the buildings by the various vendors serving Trans International Airlines. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Amendment to Port Ordinance No. 1149 was the subject of a memo to the Board from the Director of Aviation, recommending approval to amend the ordinance to provide for a fee of $10.00 for lost access identification badges. It was noted that the old fee was $25.00 and appeared to be excessive. The recommendation was approved on passage of an ordinance to print.

Approval of Subleases--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Charlie Jones Corporation to operate a housewares, gifts and Christmas items shop; and for Loren E. Sutton, to operate an art gallery. The recommendation was approved on passage of Resolution No. 23288.

Embarcadero Marina Redevelopment Loan was the subject of a memo to the Board from the Chief Engineer, recommending that the Board approve an application for a Department of Navigation and Ocean Development loan in the amount of $800,000 for Phase III of the redevelopment of the Embarcadero. The area included is from the Victoria Station Restaurant to Dennison Street and would consist of improvements for curb, gutter, sidewalk and landscaping along the street frontages; with linear parking pavement; street lighting; paving, landscaping, and lighting of a public shoreline park; demolition of the existing wharf and shed structures, dredging the boat basin; improvement of the slope along the shoreline; construction of approximately forty boat berths and improvement of restrooms. The recommendation was approved on passage of Resolution No. 23289.

Building Permit Applications from Oakland Village Corporation for Interior Alterations to Subleased Premises in Jack London Village was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements for two subtenants in the Village. The total estimated cost of the work is $4,000. The recommendation was approved on passage of Resolution No. 23290.

License Agreement Renewal--S.E. Edgar was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their agreement for Building G-315 and adjacent land areas for their steel importing and distribution business at a total monthly rental of $2,044.83. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Dissolution of Partnership--Caffe Lido was the subject of a memo to the Board from the Assistant Manager, Properties Department, notifying the Board that the original partnership has been dissolved and it was recommended that the Board recognize Mr. Frank Giuliano as the sole lessee of the building. The recommendation was approved on passage of Resolution No. 23291.

Change Order to Contract for Construction of Yard Improvements Berths 2, 3 and 4, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board that one of the conditions of the Bay Conservation and Development Commission's permit for the Outer Harbor Terminal redevelopment project, is that provisions be made for the installation of seismic sensing and recording instrumentation and that it was necessary to perform the work during construction. It was noted that State funds have not been provided for as yet. After the State Program is established, the Port may apply for reimbursement for the cost of the work. It was recommended that the Board authorize a

change order in the amount of $6,580 to the Freeman-Songroth Construction Company for the ducting work. The recommendation was approved on a motion by Commissioner Berkley, seconded and passed unanimously.

Award of Contract for Construction of Office Building C-130 Berths 2 and 3, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the bids received and recommending award of the contract to M & H Construction, the low bidder at $427,155.00. The recommendation was approved on passage of Resolution No. 23292.

Oakland Outer Harbor Navigation Study Public Hearing was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the final public meeting on the recommended plan calling for deepening the channel to -43 feet and widening the channel to 800 feet minimum. It was recommended that the Executive Director be authorized to appear at the hearing and endorse the recommended plan. The recommendation was approved on passage of Resolution No. 23293.

Reschedule of Public Hearing for Draft Environmental Impact Report Market Street Terminal was the subject of a memo to the Board from the Deputy Executive Director, recommending that the public hearing on the report and proposed plan be reset for 2:00 p.m., July 7, 1976, in the office of the Board. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Port of Oakland Tariff Change: 1. Space Assignment Rates was the subject of a memo to the Board from the Traffic Manager and Manager of Marine Terminals, recommending approval to increase the charges 3 mills per square foot per month for the use of unpaved, rocked and paved land. The recommendation was approved on passage of an ordinance to print.

Annual Budget Fiscal Year 1976-77 was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board that the budget has been prepared and transmitted for review. The budget meets the 1957 revenue bond debt service requirements and allows for the continuation of existing programs. It was also noted that it provides funds to increase the maintenance and service level at the North Field and allows for increased effort to improve air service and provides for an increased community information program. Also included is a provision for a payment to the City of Oakland of $450,000 to apply towards servicing present and past 1955 airport general obligation bonds. The information was noted and the Board was informed that after sufficient opportunity for review of the budget had been made, it would be recommended that the budget be approved by a motion and that the Board adopt a resolution appropriating funds for Port operations and maintenance. In addition, a resolution agreeing to pay the debt service of $152,760 on the 1955 airport bonds for the forthcoming year, and to pay $297,240 to apply toward previous payments made by the City on those bonds.

Middle Harbor Container Terminal Public Open House was the subject of a memo to the Board from the Public Relations Director, notifying the Board that a public open house will be held at the Middle Harbor Container Terminal on Saturday, June 19, and that tours will be made of the various tenants facilities. It was recommended that the Board execute hold-harmless agreements with Marine Terminals Corporation and United States Lines. The recommendation was approved on passage of Resolution No. 23311.

The Secretary of the Board informed the Board that an appearance by OCCUR had been scheduled, at their request, to present their survey of affirmative action to the Board. There was no representative of OCCUR present and it was noted that all members of the Board had received the report.

Personnel items contained in a memo to the Board from the Employee Relations Officer, recommended the appointment of Rachelle Ornelas, as Youth Aide, Class "B", effective June 1, 1976, at $3.36 per hour; Joseph D. Allen, as Senior Marine Marketing and Commercial Representative, effective June 17, 1976, at $1,749 per month; Isabelle Rodrigues, as Youth Aide, Class "B", effective June 17, 1976, at $3.36 per hour; Harry Britton, as Port Senior Building Maintenance Engineer, effective June 17, 1976, at $1,448 per month; and Lee Snowberg, as Assistant Mechanical and Electrical Engineer, effective June 21, 1976, at $1,476 per month. It was also recommended that Janet Palma, Intermediate Typist Clerk, be granted a salary increase to rate "d" in recognition of extra duties being performed. Also recommended is a salary increase for Roland C. Malone, Jr., Chief of Field Party to rate "d" in recognition of extra services he is performing. The recommendation was approved on passage of Resolution No. 23295 for appointments; Resolution No. 23296 for salary increases for Roland C. Malone and Resolution No. 23297 for salary increase for Janet Palma.

Award of Contract for Furnishing and Delivering Trenching Machine and/or Trailer was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board of the bids received and recommending award of the contract to John M. Cole Company, the low bidder at $4,526.97. It was noted that the trailer was not included in the award and that it will be acquired in the open market. The recommendation was approved on passage of Resolution No. 23298.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended approval for the travel of the Executive Director to Washington, D. C., on or about June 14, 1976, for the purpose of presenting testimony before the Aviation Subcommittee of the Senate Commerce Committee; the travel of the Chief Engineer to New York, New York, on or about June 14, 1976, to attend

meetings with the URS Corporation concerning the concept design for the Saudi-Arabian ports and to Montreal, Canada, to review the operation of the planemates at Mirabel Airport; and the travel of the members of the Board, the Executive Director and the Deputy Executive Director to Washington, D. C., on or about June 20, 1976, for aviation purposes. The recommendation was approved on passage of Resolution No. 23308.

City of Oakland, a municipal corporation, acting by and through its Board of Port Commissioners v. Rothschild & Raffin, Inc., a corporation, et al., was the subject of a letter to the Board from the Port Attorney, notifying the Board of the claim against Del Monte Electric Company for the failure of the cables supplying power to one of the Seventh Street Terminal cranes. It was recommended that the Board authorize a settlement agreement in the amount of $5,162.07 for the repair work. The recommendation was approved on passage of Resolution No. 23299.

Port of Oakland v. Cheryl Wyner, Municipal Court, Oakland-Piedmont Judicial District, Action No. 293594 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the case to recover the cost of replacing a Port light pole on Seventh Street which was destroyed in a collision with Wyner's automobile. It was recommended that the Board accept a compromise and settle the litigation for $1,220.25 or 75% of the amount sought in the complaint. After discussion, the Board directed the Port Attorney not to settle, and attempt to recover the full amount of the claim.

Uncollectible Accounts was the subject of a letter to the Board from the Port Attorney, recommended that certain accounts be written off the books as it appears they are uncollectible. The recommendation was approved on passage of Resolution No. 23300.

Claim of Arthur J. DiGrazia was the subject of a letter to the Board from the Port Attorney, notifying the Board of the

claim for alleged damages occurring when the claimant's car was struck by a card-operated gate near the T-hangar area at the North Field. It was recommended that the claim be denied. The recommendation be approved on passage of Resolution No. 23301.

Oil Spill of February 23, 1976 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the five gallon oil spill occurring in the vicinity of Berth 5, and that the U. S. Coast Guard has set July 15, 1976, for a hearing to determine if a civil penalty will be imposed. It was noted that an appropriate defense will be presented. The information was noted and ordered filed.

Medical and Dental Benefit Increases Effective July 1, 1976 was the subject of a letter to the Board from the Port Attorney, recommending approval to increase the Port's share of health plan insurance by $4.00 per month and dental insurance by $5.60 per month per employee, which is in accordance with the various Memoranda of Understanding with the represented Port employees. It was noted that the unrepresented employees are also included in the ordinance effecting the increases. The recommendation was approved on passage of an ordinance to print.

Application of Hughes Airwest for Nonstop Authority in the Oakland-Las Vegas and Phoenix Markets, Civil Aeronautics Board Docket No. 27464 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the case and that an Administrative Law Judge has issued an initial decision, concluding that the Air West application should be granted. It was also noted that in the decision the Judge concluded that Oakland is entitled to service in its own right and that other airports in the area are not adequate substitutes for service at Oakland Airport for the service. The information was noted and ordered filed.

At the hour of 2:55 p.m., the Board entered into executive session and reconvened in open session at the hour of 4:05 p.m., during which time Commissioner Connolly was excused from the meeting.

The following written reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of June 8, 1976.

Summary of Cash and Accounts Receivable Port Revenue Fund #801 for the Month of June 1976.

Accounts Receivable 35 Days or More in Arrears as of June 15, 1976.

Accounts Receivable Referred to the Port Attorney as of June 14, 1976.

Accounts Receivable - Other Departments as of June 15, 1976.

Summary of Claims Paid from Various Funds for the Period May 25, 1976 Through June 3, 1976.

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Noes: Commissioner Soda - 1

Absent: None

"RESOLUTION NO. 23287

RESOLUTION ABATING PORTION OF RENTAL OF OAKLAND VILLAGE CORPORATION."

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Soda, Walters and President Mortensen - 6

Noes: None

Absent: Commissioner Connolly - 1

"RESOLUTION NO. 23288

RESOLUTION CONSENTING TO SUBLEASES BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23289

RESOLUTION AUTHORIZING FILING OF FUNDING APPLICATION WITH THE STATE OF CALIFORNIA FOR PHASE THREE OF THE EMBARCADERO MARINA CONCEPTUAL REDEVELOPMENT PLAN."

"RESOLUTION NO. 23290

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23291

RESOLUTION CONSENTING TO ASSIGNMENT OF LEASE FROM FRANCO DI RUOCCO AND FRANK GIULIANO TO FRANK GIULIANO."

"RESOLUTION NO. 23292

RESOLUTION AWARDING CONTRACT TO M & H CONSTRUCTION CO. FOR CONSTRUCTION OF OFFICE BUILDING C-130, BERTHS 2 & 3, OUTER HARBOR TERMINAL; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23293

RESOLUTION RELATING TO THE PROPOSED IMPROVEMENT OF THE OAKLAND OUTER HARBOR CHANNEL."

"RESOLUTION NO. 23294

RESOLUTION APPOINTING PAUL D. FORGIE TO THE POSITION OF MANAGER, MARINE TRADE DEVELOPMENT DEPARTMENT."

"RESOLUTION NO. 23295

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23296

RESOLUTION ASSIGNING ROLAND C. MALONE, JR., CHIEF OF FIELD PARTY, TO SCHEDULE 50.5, RATE "D", AS FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23297

RESOLUTION AMENDING RESOLUTION NO. 23274 TEMPORARILY ASSIGNING JANET PALMA, INTERMEDIATE TYPIST CLERK, TO SCHEDULE NO. 22, RATE "D" AS FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23298

RESOLUTION AWARDING CONTRACT TO JOHN M. COLE COMPANY FOR FURNISHING AND DELIVERING ONE (1) TRENCHING MACHINE TO THE PORT OF OAKLAND; FIXING THE AMOUNT OF BOND TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING OTHER BID; AND DIRECTING RETURN OF CASHIER'S CHECK TO BIDDER."

"RESOLUTION NO. 23299

RESOLUTION AUTHORIZING COMPROMISE AND SETTLEMENT OF CLAIM AGAINST ROTHSCHILD & RAFFIN, INC. AND DEL MONTE ELECTRIC COMPANY ARISING OUT OF FAILURE OF ELECTRICAL CABLE AT THE SEVENTH STREET TERMINAL."

"RESOLUTION NO. 23300

RESOLUTION FINDING CERTAIN ACCOUNTS RECEIVABLE TO BE UNCOLLECTIBLE AND AUTHORIZING AND DIRECTING THE DIRECTOR OF FISCAL AFFAIRS, PORT DEPARTMENT, TO WRITE OFF THE SAME FROM THE BOOKS OF THE PORT."

Also present were the Executive Director; Deputy Executive Director; Assistant Port Attorney; Assistant to the Executive Director; Employee Relations Officer; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Attorney Laurence Corbett.

Personnel Items was the subject of a memo to the Board from the Port Employee Relations Officer, notifying the Board of a need to increase the staffing in the Fly Oakland office and recommending that the Board create two positions of Relief Reservation Clerk for a period of 120 days at a salary of $4.44 per hour and authorize the hiring for the positions. The recommendation was approved on passage of Resolution No. 23312 for creation of positions and on a motion by Commissioner Lange, seconded and passed unanimously, authorizing the hiring for the positions.

The Board discussed the proposed budget as presented to them at a meeting of June 16, 1976, and discussed at a work session. Commissioner Lange moved that the budget be approved, with the proviso that the annual net revenues for bond service coverage, as defined, should be $1,000,000 in excess of the coverage required. If after provisions are made for salary increases, expense and income adjustments, this amount is less than $1,000,000, a non-spendable reserve should be established to bring the annual net revenues to a level of at least $1,000,000 over the coverage required. The motion was seconded and passed unanimously.

At the hour of 2:10 p.m., the Board entered into executive session and reconvened in open session at the hour of 2:37 p.m.

The following resolutions were introduced and passed separately by the following vote:

Ayes:	Commissioners Berkley, Gainor, Lange, Soda, Walters and President Mortensen - 6
Noes:	None
Absent:	Commissioner Connolly - 1

"RESOLUTION NO. 23312

RESOLUTION CREATING TWO TEMPORARY PART-TIME POSITIONS OF RELIEF RESERVATION CLERK."

"RESOLUTION NO. 23313

RESOLUTION AUTHORIZING EMPLOYMENT OF EMPLOYEE RELATIONS CONSULTANTS."

"RESOLUTION NO. 23314

RESOLUTION APPROVING BONDS OF M & H CONSTRUCTION CO."

Port Ordinance No. 2002 being, "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1660 PROVIDING FOR CONTRIBUTIONS TOWARD THE COST OF GROUP DENTAL INSURANCE FOR EMPLOYEES OF THE PORT OF OAKLAND", and Port Ordinance No. 2003 being, "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT OF OAKLAND TOWARD THE COST OF EMPLOYEE GROUP HEALTH INSURANCE", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Soda, Walters and President Mortensen - 6

Noes: None

Absent: Commissioner Connolly - 1

At the hour of 2:38 p.m., the meeting was adjourned until 2:00 p.m., Wednesday, June 30, 1976.

* *

The meeting was reconvened on Wednesday, June 30, 1976 at the hour of 2:00 p.m., First Vice President Walters presiding.

Commissioners present: Berkley, Gainor, Lange, and First Vice President Walters - 4

Commissioners absent: Connolly, Soda and President Mortensen - 3

Also present were the Executive Director; Assistant to the Executive Director; Port Attorney; Chief Engineer; Director, Fiscal Affairs; Employee Relations Officer; and Secretary of the Board.

Visitors attending the meeting included Attorney Laurence Corbett, special counsel to the Board.

Change Order Contract for Alterations to Building L-606 General Aviation Terminal, was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, notifying the Board of the need to install radio equipment in the building and recommending that the Board approve a change order in the amount of $6,815.55 to D & J Electric Company, the electrical subcontractor, for the installation of the radio equipment. The recommendation was approved on on a motion by Commissioner Lange, seconded and passed unanimously.

Resolution Providing for the payment of Principal of and Interest on City of Oakland 1955 Airport Bonds during the 1976-1977 Fiscal Year and Partial Reimbursement to the City for Debt Service Payments made prior to 1968 was the subject of a memo to the Board from the Director, Fiscal Affairs, recommending that the Board appropriate $450,000 from surplus revenues to be applied to principal and interest payments on all City of Oakland 1955 Airport Bonds coming due in the fiscal year commencing July 1, 1976, and the remainder to be paid to the City in partial reimbursement of amounts paid by the City prior to 1968 on the debt service for the 1955 Airport Bonds. The recommendation was approved on passage of Resolution No. 23316 for the current year appropriation and Resolution No. 23317 for the the reimbursement appropriation.

Appropriation of Funds for Port Operations and Maintenance was the subject of a memo to the Board from the Director, Fiscal Affairs, recommending that the Board appropriate funds as described in detail in the budget for Port operations and maintenance for the fiscal year commencing July 1, 1976. The recommendation was approved on passage of Resolution No. 23315.

Personnel Items contained in a memo to the Board from the Employee Relations Officer, notified the Board that previous layoffs proposed by the City and resulting in certain layoffs at the Port had been cancelled. It was recommended that the Board repeal the resolution which provided for the terminations of the employees. The recommendation was approved on passage of Resolution No. 23318.

At the hour of 2:09 p.m., President Mortensen joined the meeting.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Walters and President Mortensen - 6

Noes: None

Absent: Commissioners Connolly and Soda - 2

"RESOLUTION No. 23315

RESOLUTION APPROPRIATING CERTAIN MONEYS TO PROVIDE FOR THE EXPENDITURES PROPOSED TO BE MADE BY THE ESTIMATED BUDGET OF THE PORT OF OAKLAND FOR THE FISCAL YEAR 1976-1977."

"RESOLUTION NO. 23316

RESOLUTION PROVIDING FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON CITY OF OAKLAND 1955 AIRPORT BONDS DURING THE 1976-1977 FISCAL YEAR."

"RESOLUTION NO. 23317

RESOLUTION PROVIDING FOR THE REIMBURSEMENT OF A PORTION OF PREVIOUS DEBT SERVICE PAID BY THE CITY OF OAKLAND ON CITY OF OAKLAND 1955 AIRPORT BONDS DURING THE 1976-1977 FISCAL YEAR AND MAKING CERTAIN DETERMINATIONS IN CONNECTION THEREWITH."

"RESOLUTION NO. 23318

RESOLUTION REPEALING RESOLUTION NO. 23285 TERMINATING CERTAIN APPOINTMENTS TO POSITIONS."

At the hour of 2:10 p.m. the Port entered into executive session with the Port Attorney on meet-and-confer matters, and reconvened in open session at the hour of 3:25 p.m., at which time the meeting was adjourned on a motion duly made and seconded.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, July 7, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Gainor, Lange, Walters and President Mortensen - 5

Commissioners absent: Connolly and Soda - 2

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Chief Engineer; Assistant Chief Engineer; Senior Engineer Keith Quan; Director of Aviation; Airport Manager; Manager, Properties Department; Commercial Representative; Traffic Manager and Manager, Marine Terminal Department; Public Relations Director; Contract Compliance Officer; and Secretary of the Board.

Visitors attending the meeting included Mr. Gary Schnitzer, representing Schnitzer Steel Products; Mr. Sam Alfaro, representing Federal Sign Company; and Mr. Harmon Howard and Mr. Peter Howard, representing Howard Terminal.

The minutes of the regular meeting of June 2, 1976; the adjourned regular meetings of June 9, 1976 and June 14, 1976 were approved as submitted and ordered filed.

Dorothy Hart, Secretary to the Executive Director, received her 15-year service pin.

At the hour of 2:08 p.m. the Board held a public hearing on the Draft Environmental Impact Report for Redevelopment of Market Street Terminal and the proposed plan to develop the area into a modern marine terminal. Mr. Peter Howard and Mr. Harmon Howard appeared before the Board to make various comments concerning the

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draft report, and requested the Board to not consider their private property holdings in the project. Additionally, Mr. Gary Schnitzer, representing Schnitzer Steel Products, appeared before the Board to make further comments on the information contained in the draft report, and also requested that the private property of Schnitzer Steel Products not be considered in the proposed project. It was noted that all the comments would be incorporated into the final Environmental Impact Report for the project, and responses would be made to the comments. It was also noted that various written comments have been received and would be included in the final report. At the hour of 2:23 p.m. the hearing was closed.

Sign Permit Application from Trans International Airlines Port Building L-107 was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the placement of a 10 x 2 foot sign to read "Trans International Airways" with the Transamerica Company logo and the words "A Transamerica Company" at their location on Earhart Road. The estimated cost of the proposed work is $550.00. The project is categorically exempt, and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23320.

Use of Name "Embarcadero Cove" was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that Mr. Don Durant has agreed to allow the Port to use the name of "Embarcadero Cove" for the entire Port-owned commercial/recreational area along the Embarcadero from Tenth Avenue to Dennison Street. It was recommended that the Board approve this name adoption for this area and that the Port seek a formal change of name for the adjacent portion of the Estuary known as "Brooklyn Basin" to "Embarcadero Cove" from

the appropriate government agencies. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Sign Permit Application, Embarcadero Cove Enterprises, Embarcadero Cove was the subject of a memo to the Board from the Port Environmental Planner, notifying the Board of the additional research done on their request to paint two roof signs on Building J-216, and recommending that the request be denied. Mr. Don Durant, owner of Embarcadero Cove Enterprises, was not in attendance, and the Board held the item over for further discussion.

Sale of Business Park Site to Lincoln Property Company was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the proposed sale of property in the Oakland Airport Business Park. The item was referred to the real estate committee for continued review.

Deed of Conveyance and Grant of Easement--PG&E was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for the execution of the agreements for the electrical duct system constructed by the Port and portion of the duct outside of the Webster Street right-of-way, both of which were constructed in the reconstruction of Parking Lot 7 at Jack London Square. The recommendation was approved on passage of Resolution No. 23319.

Brokerage Commission--Grubb & Ellis was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a brokerage commission in the maximum amount of $558.55, to be paid to Grubb & Ellis Commercial Brokerage Company for the license agreement with Earth Grains, Inc. It was noted the commission would be paid in installments over the term of the agreement. The recommendation was approved on passage of Resolution No. 23321.

buildings. The recommendation was approved on a motion by Commissioner Berkley, seconded and passed unanimously.

Contract for ADT Patrol Service at the Building Vacated by REA at 2277 Seventh Street was the subject of a memo to the Board from the Supervising Electrical/Mechanical Engineer, notifying the Board that the vacated REA Building could be subject to vandalism before the trustee can terminate the leasehold and return the property to the Port. It was recommended that the Executive Director be authorized to execute a contract with American District Telegraph for the protection of the building at a cost of $460.00 per month. The recommendation was approved on passage of Resolution No. 23330.

Contract Change Order, Berth 4 Area, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, notifying the Board of the utility work and yard work needed in connection with the Berth 4 entrance area and the addition of the Mobil Oil loading area, and recommending approval to issue a change order to Freeman-Sondgroth Construction Company for the work. The total cost for the proposed addition is estimated at $80,000. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Far East Office was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board of the need to make a security deposit of 5,000,000 yen ($17,500) in four installments for space in the new NYK Building for use as the Port's Far East office. It was recommended that the Board authorize the payments to Yusen, Kogyo, Kabushiki, Kaisha to secure space in the building. It was noted that the provisional lease agreement will be presented at a later date. The recommendation was approved on passage of Resolution No. 23331.

Port of Oakland, Municipal Warehouse Tariff No. 1, Increase in Rates was the subject of a memo to the Board from the Traffic Manager and Manager, Marine Terminals, recommending approval to increase rates for storage handling and various other services by 11.8% and delete certain obsolete provisions and add certain new rates. The recommendation was approved on passage of an ordinance to print.

Award of Contract for Demolition of Water Tower, Outer Harbor was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the bids received and recommending award of the contract to Bay Cities Paving and Grading, Inc. the low bidder at $2,740.00. The recommendation was approved on passage of Resolution No. 23332.

Award of Contract for Painting Three Container Cranes, Seventh Street Terminal, was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the bids received and recommending award of the contract to Orrell-Keefe, Inc., the low bidder at $62,722.00. The recommendation was approved on passage of Resolution No. 23333.

Contract Completion, Construction of Public Fishing and Recreation Area, Middle Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with J. H. Fitzmaurice, Inc. be accepted as complete as of June 16, 1976 at the contract price of $82,307.00. The recommendation was approved on passage of Resolution No. 23334.

Contract Completion, Construction of Parcel "B" Yard Improvements, Middle Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending the contract with Oliver de Silva Inc. be accepted as complete as of May 30, 1976 at a contract price of $218,945.39. The recommendation was approved on passage of Resolution No. 23335.

Proposed Addendum to Section IV of the Port of Oakland's Equal Opportunity Policy was the subject of a memo to the Board from the Port Equal Opportunity Officer, recommending certain changes in the program. Commissioner Lange moved for discussion of the item, which was seconded. Commissioner Walters asked that all members of the Board be present before discussion. Commissioner Lange withdrew the motion and President Mortensen asked that the item be continued on the calendar until such time as a full Board can discuss the matter.

Authority to Purchase Reproduction Equipment was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board of the need to purchase new equipment for the Reproduction Center and that analysis of the equipment available has determined that only one piece of equipment can meet the Port's requirements, and is available at the same contract figure quoted to the State of California. It was recommended that the Board authorize the purchase of one Addressograph-Multigraph Corporation's Model 4250 with Norfin 104 bin collator on a purchase order in the amount of $38,342.16 without going to competitive bidding. The recommendation was approved on passage of Resolution No. 23336.

Department of Commerce, Trade Mission to Middle East was the subject of a memo to the Board from the Executive Director, notifying the Board that the Department of Commerce is planning to sponsor and manage a sales promotion trip in the Mediterranean area and that the Executive Director has been asked to serve as the chairman of the mission. After considerable discussion, Commissioner Lange moved that the honor be accepted. The motion failed to receive a second, and the Executive Director informed the Board that he would decline the invitation.

The Executive Director recommended that members of the Board, the Deputy Executive Director and Executive Director be authorized to travel to Washington, D. C., on or about July 14, 1976, to attend meetings relating to air transportation. The recommendation was approved on passage of Resolution No. 23344.

Sale of Furniture and Equipment was the subject of a memo to the Board from the Manager, Purchasing Department, recommending approval to sell by informal bids surplus furniture, equipment and accessories from the Marco Polo Restaurant. The recommendation was approved on passage of Resolution No. 23337.

Sale of Railroad Track Supplies was the subject of a memo to the Board from the Manager, Purchasing Department, recommending approval to sell by informal bidding surplus railroad equipment obtained from reconstruction work at Berths 2, 3 and 4. The recommendation was approved on passage of Resolution No. 23338.

Personnel Items contained in a memo to the Board from the Employee Relations Officer, recommended the appointment of Claire C. Wilson, as Youth Aide, Class "B", effective June 14, 1976, at $3.36 per hour; Pedro Corro, as Youth Aide, Class "A", effective June 17, 1976, at $5.93 per hour; Vivian A. Barr, as Youth Aide, Class "A", effective June 21, 1976, at $5.93 per hour; Sonia S. Bolanos, as Youth Aide, Class "B", effective June 21, 1976, at $3.36 per hour; Verna L. Cortez, as Telephone Operator, effective June 19, 1976, at $847 per month; Geneva V. Reed, as Relief Reservation Clerk, effective June 24, 1976, at $4.44 per hour; Senator M. Brunson, and Tommie L. Sashington, as Construction Aides (CETA), effective June 23, 1976, at $807 per month; Eddie Lee and Michael W. Tezeno, as Construction Aides (CETA), effective June 30, 1976, at $807 per month; Laura R. Longstaff, as Reservation Clerk, effective July 1, 1976, at $847 per month; Peter Sally, as Engineering Intern, effective July 8, 1976, at $5.93 per hour; Janice E. Van Sickle, as Relief Reservation Clerk, effective July 8, 1976, at

$4.44 per hour; Nancy E. Stoltz, as Youth Aide, Class "C", effective July 8, 1976, at $4.64 per hour; and Linda G. Sanders, as Youth Aide, Class "C", effective July 12, 1976, at $4.64 per hour. The recommendation was approved on passage of Resolution No. 23339 for appointments and Resolution No. 23340 for CETA appointments.

Oakland Chamber of Commerce Contract was the subject of a memo to the Board from the Deputy Executive Director, recommending approval to renew the contract with the Oakland Chamber of Commerce in the amount of $13,000 in support of certain activities for the fiscal year 1976-1977. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Injury to Samuel A. McNeil and Lawrence L. Walker was the subject of a letter to the Board from the Port Attorney, notifying the Board of an automobile accident involving the two Port employees and that the Port has paid $884.00 in workers' compensation benefits and $123.00 in medical benefits, which are recoverable from the party at fault's insurance carrier. It was recommended that the Board authorize filing an Application For Adjudication of Claim with the Workers' Compensation Appeals Board, which will protect the Port from future medical claims from the Port employees. The recommendation was approved on passage of Resolution No. 23341.

Kenneth McIntosh v. Harold V. Andreason, dba Oakland Marine Stadium; Port of Oakland, et al., Los Angeles County Superior Court Action No. C-162759 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the action served resulting from the accident in the Airport channel during a boat race sponsored by a Port tenant, Harold Andreason. It was noted that defense in the matter has been referred to

Harbor Insurance Company. The information was noted and ordered filed.

Application of Hughes Air West for Nonstop Authority in the Oakland-Las Vegas and Phoenix Markets, Civil Aeronautics Board Docket No. 27464 was the subject of an oral report by the Port Attorney in which he notified the Board that the Civil Aeronautics Board did not take any further action on the administrative judge's ruling that Hughes Air West should be allowed to proved service in the market. The information was noted and ordered filed.

Election of officers, as called for in the Port By-Laws and Administrative Rules of the Board was deferred until the meeting scheduled to be held July 21, 1976, on passage of Resolution No. 23346.

The following written reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of July 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of June 28, 1976.

Summary of Claims Paid from Various Funds for the Period June 4, 1976 through June 25, 1976.

The following resolution was introduced and passed separately by the following vote:

Ayes:	Commissioners Gainor, Lange, Walters and President Mortensen - 4
Noes:	None
Abstained:	Commissioner Berkley - 1
Absent:	Commissioners Connolly and Soda - 2

"RESOLUTION NO. 23319

RESOLUTION AUTHORIZING EXECUTION OF DEED OF CONVEYANCE AND EASEMENT TO PACIFIC GAS AND ELECTRIC COMPANY."

At the hour of 3:20 p.m. Commissioner Walters was excused from the meeting.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange and President Mortensen - 4

Noes: None

Absent: Commissioners Connolly, Soda and Walters - 3

"RESOLUTION NO. 23320

RESOLUTION GRANTING TRANS INTERNATIONAL AIRLINES PERMISSION TO PERFROM CERTAIN WORK."

"RESOLUTION NO. 23321

RESOLUTION APPROVING AND AUTHORIZING PAYMENT OF REAL ESTATE BROKERAGE COMMISSION TO GRUBB AND ELLIS COMMERCIAL BROKERAGE COMPANY."

"RESOLUTION NO. 23322

RESOLUTION AUTHORIZING EXECUTION OF LICENSE WITH SANTA FE PLAZA CORPORATION FOR THE INSTALLATION AND MAINTENANCE OF LANDSCAPING ON THE EAST SIDE OF ALICE STREET."

"RESOLUTION NO. 23323

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH THE UNITED STATES OF AMERICA."

"RESOLUTION NO. 23324

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH THE UNITED STATES OF AMERICA."

"RESOLUTION NO. 23325

RESOLUTION CONSENTING TO SUBLEASE BY OAKLAND VILLAGE CORPORATION TO RONALD J. PETERS."

"RESOLUTION NO. 23326

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23327

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT FOR USE OF INDUSTRY TRACK BY THIRD PARTY WITH SOUTHERN PACIFIC TRANSPORTATION COMPANY AND WESTERN TUBE AND CONDUIT CORPORATION."

"RESOLUTION NO. 23328

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH SOUTHERN PACIFIC TRANSPORTATION COMPANY AND QUATERNION CHEMICAL INDUSTRIES, INC. PROVIDING FOR TERMINATION OF AGREEMENT FOR USE OF INDUSTRY TRACK BY THIRD PARTY."

"RESOLUTION NO. 23329

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT FOR USE OF INDUSTRY TRACK BY THIRD PARTY WITH SOUTHERN PACIFIC TRANSPORTATION COMPANY AND C. D. ERICSON, INC."

"RESOLUTION NO. 23330

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH AMERICAN DISTRICT TELEGRAPH COMPANY OF SAN FRANCISCO FOR PATROL SERVICE AT 2277 - 7TH STREET, OUTER HARBOR TERMINAL AREA."

"RESOLUTION NO. 23331

RESOLUTION MAKING APPROPRIATION FOR DEPOSIT ON OFFICE FACILITIES OF FAR EAST OFFICE."

"RESOLUTION NO. 23332

RESOLUTION AWARDING CONTRACT TO BAY CITIES PAVING AND GRADING, INC. FOR DEMOLITION OF WATER TOWER ADJACENT TO BUILDING B-302, OUTER HARBOR TERMINAL, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID SECURITIES TO BIDDERS."

"RESOLUTION NO. 23333

RESOLUTION AWARDING CONTRACT TO ORRELL-KEEFE, INC. FOR PAINTING OF THREE CONTAINER CRANES AT SEVENTH STREET TERMINAL, OAKLAND, CALIFORNIA; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23334

RESOLUTION ACCEPTING WORK PERFORMED BY J. H. FITZMAURICE, INC. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23335

RESOLUTION ACCEPTING WORK PERFORMED BY OLIVER De SILVA, INC. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23336

RESOLUTION FINDING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PURCHASE CERTAIN REPRODUCTION EQUIPMENT WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE THEREOF."

"RESOLUTION NO. 23337

RESOLUTION AUTHORIZING SALE OF RESTAURANT FURNITURE, EQUIPMENT AND SUPPLIES."

"RESOLUTION NO. 23338

RESOLUTION AUTHORIZING SALE OF RAILROAD TRACK SUPPLIES."

"RESOLUTION NO. 23339

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23340

RESOLUTION RATIFYING CERTAIN APPOINTMENTS IN CONNECTION WITH PARTICIPATION IN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973."

"RESOLUTION NO. 23341

RESOLUTION AUTHORIZING FILING WORKERS' COMPENSATION CLAIM BY PORT ATTORNEY ON BEHALF OF SAMUEL A. McNEIL AND LAWRENCE L. WALKER."

"RESOLUTION NO. 23342

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23343

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR LANDSCAPING AND IRRIGATION OF ALICE STREET AND PARKING LOT NO. 9, JACK LONDON SQUARE, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23344

RESOLUTION AUTHORIZING CERTAIN TRAVEL."

"RESOLUTION NO. 23345

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23346

RESOLUTION TEMPORARILY DEFERRING ELECTION OF OFFICERS OF THE BOARD."

Port Ordinance No. 2004 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 INCREASING CERTAIN SPACE ASSIGNMENT RATES", and Port Ordinance No. 2006 being, "AN ORDINANCE AMENDING SECTION 10.4 OF PORT ORDINANCE NO. 1149 RELATING TO

CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange and President Mortensen - 4

Noes: None

Absent: Commissioners Connolly, Soda and Walters - 3

Port Ordinance No. _____ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 1858 RELATING TO WAREHOUSE FACILITIES, DEFINITION OF TECHNICAL TERMS, SPECIAL SERVICES-RATES, CHARGES, RULES AND REGULATIONS AND RATES FOR STORAGE AND STORAGE HANDLING", was read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange and President Mortensen - 4

Noes: None

Absent: Commissioners Connolly, Soda and Walters - 3

At the hour of 3:21 p.m. the Board went into executive session with the Port Attorney and reconvened in open session at the hour of 3:45 p.m., at which time the meeting was adjourned, on a motion duly made and seconded.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, July 21, 1976, at the hour of 2:10 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Mortensen presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Connolly, Gainor, Lange, Walters and President Mortensen - 6

Commissioners absent: Soda - 1

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Assistant Chief Engineer; Director, Fiscal Affairs; Airport Manager; Manager, Properties Department; Commercial Representative; Employee Relations Officer; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. James A. Cook, representing Pacific Southwest Airlines; Mr. Dean Anderson and Attorney Harold Cutler, representing Oakland Marina.

The minutes of the regular meeting of June 16, 1976; the adjourned regular meetings of June 23 and June 30, 1976; and the regular meeting of July 7, 1976 were approved as submitted and ordered filed.

Mr. Dean Anderson appeared before the Board to request that he be allowed to continue occupancy of the Oakland Marina leasehold area which terminates on August 31, 1976. The Manager, Properties Department, notified the Board that it was desirable for the Port to assume control of the property to allow for proper planning in the redevelopment and the development of new leases for certain tenants. After considerable discussion, Commissioner

Board of Port Commissioners Meeting
Secretary
Action AUG 18 1975
APPROVED AS SUBMITTED
AND ORDERED FILED

Walters moved that the existing lease be extended through September 30, 1976 to allow for adequate time to notify the existing tenants of the proposed changes.

At the hour of 2:38 p.m. the Board entered into executive session, and reconvened in open session at the hour of 4:10 p.m. Commissioner Connolly moved that a settlement agreement between the parties involved in the development of certain parts of Bay Farm Island be approved. The motion was seconded and passed unanimously and the Port Attorney directed to prepare an appropriate resolution.

Lease to Trans International Airlines was transmitted to the Board by a letter from the Port Attorney, accompanied with a memo from the Manager, Properties Department, recommending approval for the lease on Building L-802, used as their ground school. The lease will expire May 30, 1979 concurrently with their lease on the Building L-870 complex. The recommendation was approved on passage of an ordinance to print.

License Agreement Amendment--PSA was the subject of memo to the Board from the Manager, Properties Department, recommending approval to amend their agreement to provide for PSA to restore certain conditions of their hold rooms after new modifications are installed by them. It was noted that the restoration would be at the Port's option. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Building Permit Application from Pacific Southwest Airlines, Ticket Building and Finger Building was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior alterations to their ticket counter offices and their hold rooms. The estimated cost of the work is $30,000. The project is categorically exempt, and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23347.

Building Permit Application for the Installation of Security Fencing Trans International Airways was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of 750 lineal feet of chain link security fencing to enclose four Port buildings occupied by Trans International Airways. The estimated cost of the work is $5,000. The project is categorically exempt, and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23348.

Amendment to Lease--Airflite North was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to reconfigure their land area to conform with the Federal Aviation Administration setback requirements. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Amendment of Shell Oil Company Airport, Retail Dealer Agreement was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to amend their Retail Dealer Agreement by extending the termination date to November 14, 1976, which will coincide with their Tank Farm Lease expiration date. The recommendation was approved on passage of Resolution No. 23349.

Proposed Lease to Flexi-Van was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a three-year lease with Flexi-Van Leasing Company for 160,000 s.f. of paved and unpaved land area at the foot of Market Street, at $3,286.75 per month. The area will be used for truck trailer, container and chassis storage repair and rental. The premises would be taken in an as-is condition, and Flexi-Van will pay all utilities, taxes, insurance and maintenance and repairs. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Proposed Adult Entertainment Zone was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that a group of neighborhood organizations has recommended to the Planning Commission that adult entertainment activities in Oakland should be confined to the area bounded by Washington, Brush, Third Street and the Estuary. It was recommended that the Board oppose any proposed adult entertainment on, in and near Jack London Square. The motion was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Rental Abatement and Termination--Outer Harbor Lunch was the subject of a memo to the Board from the Assistant Manager, Properties Department, notifying the Board that Outer Harbor Lunch has lost considerable business due to the construction of the new Outer Harbor Terminal, and has become delinquent in rent. It was recommended that the Board approve a rental abatement of $275 based on reduced business volume caused by Port construction activity, and to terminate the occupancy as of August 31, 1976. It was noted the building would be demolished to help relieve truck congestion in the area. The recommendation was approved on passage of Resolution No. 23350.

Issuance and Sale of $1,000,000 Principal Amount of Port of Oakland 1976 Small Craft Harbor Revenue Bonds was the subject of a memo to the Board from the Deputy Executive Director, recommending approval for the issuance and sale of the Port of Oakland 1976 Small Craft Harbor Revenue Bonds which will be used for the reconstruction of the Embarcadero Marina. The recommendation was approved on passage of Resolution No. 23351.

Building Permit Application from Merritt Ship Repair Company was the subject of a memo from the Port Environmental Planner, recommending approval for the construction of a dry storage shed at their location on the Embarcadero. The estimated cost of the project was $3,500. The project is categorically exempt, and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23353.

Assignment of Lease--Chromalloy Pharmaceutical was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for the long-term ground lease on a parcel on Oakport Street to be assigned from Burns Pharmaceuticals, Inc. to Burns-Biotec Laboratories, Inc. and then to Chromalloy Pharmaceutical, Inc. The recommendation was approved on passage of Resolution No. 23352.

Amendment to Agreement for Engineering Services for Container Yard Improvements, Outer Harbor Redevelopment was the subject of a memo to the Board from Port Supervising Engineer Jack L. Lambert, notifying the Board that a portion of the Mobil Oil lease will be relinquished to the Port and the new area will be used for container storage by the combination container break-bulk operation at Berth 5. It was recommended that the Board authorize an amendment to the agreement with Jordan/Casper/Woodman/Dobson to perform engineering services for the design and construction of the new yard improvements. The total additional compensation will not exceed $31,000 unless further work is authorized by the Executive Director. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

Port of Oakland, Use of Facilities was the subject of a memo to the Board from the Traffic Manager and Manager, Marine Terminals, recommending approval to add a provision to the Port's tariff to provide for users of Port facilities at Berth 4 and secondary users at Berths 2 and 3 to make direct payment to the Port instead of to the terminal operator. The recommendation was approved on passage of an ordinance to print.

Construction of Maintenance Building C-129, Berths 2 & 3, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the eight bids received and recommending award of contract to

CSB Construction, Inc., the low bidder at $239,317.00. The recommendation was approved on passage of Resolution No. 23369.

Completion of Surcharge Fill for Building E-223 was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with O. C. Jones and Sons, Inc. for the placement of fill for Building E-223 at American President Lines' Container Freight Station Site be extended through July 1, 1976, without liquidated damages, and the contract be accepted as complete on that date with a contract price of $61,389.85. The recommendation was approved on passage of Resolution No. 23354 for time extension and Resolution No. 23355 for acceptance of work.

Procedures for Placing Port Insurance Policies was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that further studies and discussions have taken place concerning the placing of the Port's insurance coverages. It was recommended that the Port continue to maintain the existing program, which includes joint evaluation by the Port and the Oakland Association of Insurance Agents of types and amounts of coverage and insurance market conditions. The proposals are solicited for each type of insurance and then presented to the Board for approval. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously. It was noted that the program would be continually reviewed.

Non-Airport Primary Comprehensive General Liability Insurance was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the policy and of the study made as to the possibility of the Port's self-insuring portions of this basic insurance coverage. It was noted that only two quotations for the Port's $1,000,000 primary comprehensive general liability insurance were received. It was recommended that the Board approve placing the policy with the Zurich Insurance Company. The policy includes a retrospective-rated premium for

the first $100,000 of coverage, with a minimum premium of $63,792 and a maximum premium of $140,342. The fixed premium for the remaining $900,000 coverage would be $63,585. The actual premium for the first $100,000 in coverage would be based on the actual loss record for the premium year. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Medical coverage for Active Employees Aged 65 and over was the subject of a memo to the Board from the Director, Fiscal Affairs, notifying the Board that the current Port policy is to contribute a maximum of $65 per month per employee for medical coverage, and when an employee attains age 65, the coverage ceases and is replaced by Medicare hospital and medical benefits, with a resulting payment considerably less than what the Port presently pays for employees under age 65. It was recommended that the Board amend the ordinance covering health benefits to provide that the Port will make payments to Blue Cross, Kaiser, and/or the Social Security Administration for premiums for medical and hospital coverage for employees, and their dependents, aged 65 and over, in a total amount not to exceed the amount which the Port pays on account of such coverage for employees below the age of 65. The recommendation was approved on passage of an ordinance to print.

Personnel Items contained in a memo to the Board from the Employee Relations Officer, recommended the appointment of Melody J. Powell, as Youth Aide, Class "B", effective July 8, 1976, at $3.36 per hour; Sharon C. Hendrix, as Telephone Operator, effective July 14, 1976, at $847 per month; Angie L. Zigenis, as Youth Aide, Class "B", effective July 14, 1976, at $3.36 per hour; Lorry L. Fleming, as Youth Aide, Class "B", effective July 19, 1976, at $3.36 per hour; Michael L. Connolly, as Youth Aide, Class "C", effective July 6, 1976, at $4.64 per hour; Aljor C. Perreras, as Youth Aide, Class "B", effective July 6, 1976, at $3.36 per

hour; Michael D. Collins, Walter D. Bremond, Gary D. Smith, Edward L. Wallace, Brian MacKellar, Charles K. Cooper, Edwin C. Boatman, Mark T. O'Brien, Chris H. Ealy and Kevin J. Clarke, all as Youth Aides, Class "B", at $3.36 per hour; Frederick S. Barnhart, Youth Aide, Class "C", effective July 7, 1976, at $4.64 per hour; Stephen E. Hung, as Youth Aide, Class "A", effective July 8, 1976, at $5.93 per hour; Matthew R. Spencer and Charles E. Rhodes, as Youth Aides, Class "B", effective July 22, 1976, at $3.36 per hour; Also recommended was an amendment to the appointment resolution for Laura Longstaff to correct a salary rate to salary rate "B", at $804 per month; a leave of absence for Laurel Stanley, Port Environmental Planner Assistant, for ten days without pay; and a military leave of absence for Dee McCoy, Intermediate Stenographer Clerk, for ten days with pay. Further recommended was the reclassifying of two positions of "Utilities Foreman" to the classification of "Utilities Supervisor". It was noted that the Port has provided 48 work locations for participants in the City of Oakland's Summer Youth Employment Program. The recommendations were approved on passage of Resolution No. 23356 for appointments, Resolution No. 23357 for salary amendment, Resolution No. 23358 for leaves of absence and on an ordinance passed to print for reclassifying of positions.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the ratification of travel for the Executive Director and the Chief Engineer to Riyadh, Saudi Arabia on July 14, 1976, in connection with the contract for services with the U. S. Corps of Engineers, and ratification of travel for the Director of Aviation to New York, New York and Miami, Florida on or about July 19, 1976, to meet with various airline representatives. The recommendation was approved on passage of Resolution No. 23359.

Lake Tahoe Service Investigation, Civil Aeronautics Board Docket No. 29000 was the subject of a letter to the Board

from the Port Attorney, notifying the Board of the case, and recommending that the Board authorize intervention in the proceedings and participation in the hearing. The recommendation was approved on passage of Resolution No. 23360.

Interstate and Intrastate Fares in California and Texas Markets, Civil Aeronautics Board Docket No. 24779 was the subject of a letter to the Board from the Port Attorney, notifying the Board that the Civil Aeronautics Board has concluded and found that the differences between interstate and intrastate rates of federally certificated carriers are unjustly discriminatory, and consequently a violation of the Federal Aviation Act of 1958, and the carriers will have to provide a single fare to be applicable to all passengers for each city-pair market. The information was noted and ordered filed.

Agreements Nos. 9718-3 and 9731-5, Federal Maritime Commission Docket No. 75-30 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the case involving the six Japanese steamship lines using the facilities of the Port of Oakland, and of the agreements by which the lines coordinate the sailing schedules and charter space upon each other's ships. The Administrative Law Judge found that the agreements were invasions of anti-trust policies; however they produced offsetting benefits justifying continued approval under certain conditions. He approved extensions of the agreements through August 22, 1977 providing that the four lines using Port facilities under contract with the Port reduce their fleet from eight ships to six ships and that the two lines using the Matson facilities of the Port hold the number of ships operated to the present four. The information was noted and ordered filed.

Salary, Medical and Dental Benefit Increases for Maintenance-Operations Unit and CETA Unit for Fiscal Year 1976-1977 was the subject of a letter to the Board from the Port Attorney, notifying the Board that negotiations with the United Public

Employees Local 390 have been concluded and accepted by the union. It was recommended that the Board adopt the ordinances reflecting the increases. The basic increases include a 6.2% general salary increase for employees in both the CETA unit and in the maintenance-operations unit. The recommendation was approved on passage of two ordinances to print.

Claim of Insurance Company of North America was the subject of a letter to the Board from the Port Attorney, notifying the Board of the claim resulting from a rejection by the Port of a bid bond submitted by REG Company. The case has been to court and a judgment of dismissal should be entered shortly. It was recommended that the claim be rejected. The recommendation was approved on passage of Resolution No. 23361.

The election of officers as provided for in the By-Laws was called for by President Mortensen. Commissioner Connolly nominated the following officers: President, William Walters; First Vice President, Y. Charles Soda; Second Vice President, H. Boyd Gainor; Secretary, Christopher C. Marshall; Assistant Secretary, Gerald L. Pope; Assistant Secretary, Dorothy Hart. On a motion duly made and seconded, the slate of officers was elected on a unanimous ballot, and Resolution No. 23371 was passed declaring the election of Officers of the Board of Port Commissioners, to be effective August 4, 1976.

At the hour of 4:20 p.m. the Board recessed for five minutes, and reconvened in executive session with the Port Attorney at the hour of 4:25 p.m., at which time Commissioner Lange was excused from the meeting. The Board reconvened in open session at the hour of 4:35 p.m.

The Executive Director notified the Board that the Chief Engineer had concluded his inspection of the wharf upon which the Bow & Bell Restaurant is located, and he recommended that the Board immediately serve the required six-month notice to suspend restaurant

operations because of the structural deficiencies of the wharf structure. The recommendation was approved on passage of Resolution No. 23373. The Port Attorney notified the Board that the Bow & Bell Restaurant was still in arrearage, and he recommended that the Board ratify action taken earlier for unpaid rent, repossession of Port property and forfeiture of Port tenancy. The recommendation was approved on passage of Resolution No. 23372.

At the hour of 4:40 p.m. Commissioner Walters was excused from the meeting.

The following written reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of July 13, 1976.

Summary of Cash and Accounts Receivable Port Revenue Fund #801 for the Month of June 30, 1976.

Accounts Receivable 35 Days or More in Arrears as of July 20, 1976.

Accounts Receivable Referred to the Port Attorney as of July 20, 1976.

Accounts Receivable - Other Departments as of July 20, 1976.

Summary of Claims Paid from Various Funds for the Period June 23, 1976 through July 12, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor and President Mortensen - 4

Noes: None

Absent: Commissioners Lange, Soda and Walters - 3

"RESOLUTION NO. 23347

RESOLUTION GRANTING PACIFIC SOUTHWEST AIRLINES PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION No. 23348

RESOLUTION GRANTING TRANS INTERNATIONAL AIRLINES PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23349

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT AGREEMENT WITH SHELL OIL COMPANY."

"RESOLUTION NO. 23350

RESOLUTION ABATING PORTION OF RENTAL OF OUTER HARBOR LUNCH."

"RESOLUTION NO. 23351

RESOLUTION AUTHORIZING THE ISSUANCE AND DIRECTING THE SALE OF $1,000,000 PRINCIPAL AMOUNT OF PORT OF OAKLAND 1976 SMALL CRAFT HARBOR REVENUE BONDS."

"RESOLUTION NO. 23352

RESOLUTION CONSENTING TO ASSIGNMENT OF LEASE FROM BURNS PHARMACEUTICALS, INC., TO BURNS-BIOTEC LABORATORIES, INC., AND TO CHROMALLOY PHARMACEUTICAL, INC."

"RESOLUTION NO. 23353

RESOLUTION GRANTING MERRITT SHIP REPAIR CO. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23354

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH O. C. JONES AND SONS."

"RESOLUTION NO. 23355

RESOLUTION ACCEPTING WORK PERFORMED BY O. C. JONES AND SONS AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23356

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23357

RESOLUTION RELATING TO THE APPOINTMENT OF LAURA R. LONGSTAFF TO THE POSITION OF RESERVATION CLERK."

"RESOLUTION No. 23358

RESOLUTION APPROVING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION No. 23359

RESOLUTION RATIFYING CERTAIN TRAVEL."

"RESOLUTION NO. 23360

RESOLUTION AUTHORIZING PORT ATTORNEY TO INTERVENE IN PROCEEDINGS BEFORE THE CIVIL AURONAUTICS BOARD RELATING TO THE LAKE TAHOE SERVICE INVESTIGATION."

"RESOLUTION NO. 23361

RESOLUTION REJECTING CLAIM OF INSURANCE COMPANY OF NORTH AMERICA."

"RESOLUTION NO. 23362

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH DOLLAR A DAY RENT-A-CAR SYSTEM, INC."

"RESOLUTION NO. 23363

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH HURRICANE INTERNATIONAL."

"RESOLUTION NO. 23364

RESOLUTION APPROVING BONDS OF ORRELL-KEEFE, INC."

"RESOLUTION NO. 23365

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH MARINE TERMINALS CORPORATION."

"RESOLUTION NO. 23366

RESOLUTION APPROVING BONDS OF BAY CITIES PAVING AND GRADING, INC."

"RESOLUTION NO. 23367

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH TRANS INTERNATIONAL AIRLINES."

"RESOLUTION NO. 23368

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23369

RESOLUTION AWARDING CONTRACT TO CSB CONSTRUCTION, INC. FOR CONSTRUCTION OF MAINTENANCE BUILDING C-129, BERTHS 2 & 3, OUTER HARBOR TERMINAL; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23370

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH OAKLAND CHAMBER OF COMMERCE."

"RESOLUTION NO. 23371

RESOLUTION DECLARING ELECTION OF OFFICERS OF THE BOARD OF PORT COMMISSIONERS."

"RESOLUTION NO. 23372

RESOLUTION RATIFYING FILING OF ACTION BY PORT ATTORNEY AGAINST BOOTJACK, INC."

"RESOLUTION NO. 23373

RESOLUTION RELATING TO THE WHARF STRUCTURE UPON THE LEASEHOLD OF BOOTJACK, INC. AND AUTHORIZING THE GIVING OF NOTICE THEREOF."

"RESOLUTION NO. 23374

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION WITH THE CITY OF ALAMEDA AND OTHERS."

Port Ordinance No. 2006 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 1858 RELATING TO WAREHOUSE FACILITIES, DEFINITION OF TECHNICAL TERMS, SPECIAL SERVICES-RATES, CHARGES, RULES AND REGULATIONS AND RATES FOR STORAGE AND STORAGE HANDLING", was read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Lange and Soda - 2

Port Ordinance No. _____ being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH TRANS INTERNATIONAL AIRLINES", and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO APPLICATION FOR USE OF WHARF FACILITIES AND CONTAINER CRANES", and Port Ordinance No. _____ being "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT OF OAKLAND TOWARD THE COST OF EMPLOYEE GROUP HEALTH INSURANCE", and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTION 9.101 OF PORT ORDINANCE NO. 867 RECLASSIFYING TWO EXISTING POSITIONS OF UTILITIES FOREMAN TO UTILITIES SUPERVISOR", and Port Ordinance No. _____ being "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1660 PROVIDING FOR CONTRIBUTIONS TOWARD THE COST OF GROUP DENTAL INSURANCE FOR EMPLOYEES OF THE PORT OF OAKLAND", and Port Ordinance No. _____ being, "AN ORDINANCE ADDING SECTIONS 1.51, 1.52 AND 1.53 TO PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", were read a first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Walters and President Mortensen - 5

Noes: None

Absent: Commissioners Lange and Soda - 2

At the hour of 4:45 p.m., on a motion duly made and seconded, the meeting was adjourned.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, August 4, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Connolly, Gainor, Lange, Mortensen, Soda and President Walters - 7

Commissioners absent: None

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Chief Engineer; Assistant Chief Engineer; Director of Aviation; Airport Manager; Commercial Representative, North Field; Manager, Properties Department; Commercial Representative; Properties Technician Anthony F. Bruno; Director, Fiscal Affairs; Employee Relations Officer; Traffic Manager and Manager, Marine Terminals Department; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. C. R. Gibb and Mr. Dean Anderson, representing Mardeco Marina; Mr. Paul Cobb and Mr. John Stansbury, representing OCCUR; Mr. James L. McDonnell, representing the Oakland Municipal Civil Service Employees' Association; and Mr. H. L. Hintermeister and Ms. Ruth Teasdel, both representing the International Airline and Travel Personnel Career School; Mr. John Swanson, representing Central Bank; Mr. Peter Howard and Mr. Harmon Howard, representing Howard Terminals.

Receipt of Bids for the Port of Oakland 1976 Small Craft Harbor Revenue Bonds. The Secretary of the Board notified the Board that there were no bids received, and it is anticipated that the Port will now proceed with the financing of the Embarcadero Marina Redevelopment Project, Phase I in accordance with the loan

Board of Port Commissioners Meeting
Secretary
Action SEP 1 1976
APPROVED AS SUBMITTED
AND ORDERED FILED

agreement previously made with the State of California.

Service pins were awarded to Anthony F. Froncek, Airport Serviceman, for 10 years; Anthony F. Bruno, Properties Technician, for 10 years; and Walter Robertson, Semi-Skilled Laborer, Class A, for 25 years.

Mardeco Marina Maintenance was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the current status of the maintenance of existing facilities at the Marina, and that it appeared a major effort has been made to improve the overall condition. Mr. Clyde Gibb appeared before the Board to request that standards concerning "first class marina" be established so that they would know what direction to take in the improvement program. After considerable discussion, Commissioner Soda asked that the subject be referred to the Real Estate Committee and that the Committee would undertake the establishment of a criteria. President Walters directed that the subject be referred to the Committee and asked for a further report in 60 days on the condition of the improvement program.

Mr. Paul Cobb, the Executive Director of OCCUR, appeared before the Board to officially present to the Board their study of affirmative action entitled "Equal Opportunity in Oakland". The presentation was concluded with remarks by Mr. John Stansbury, the President of OCCUR at the time the report was prepared. President Walters thanked the representatives of OCCUR for their presentation and noted that each member of the Board had a copy of the report.

Runway 11/29 Overlay Project - Request for $3.5 Million Funding Under FAA Airport Development Aid Program (ADAP) was the subject of a memo to the Board from the Director of Airport Planning, notifying the Board of the project, and recommending approval to file a "Preapplication for Federal Assistance" and "Application for Federal Assistance", requesting $3.5 million in ADAP funds. It was noted that a negative declaration was prepared and filed

with the State and the region for clearinghouse review. It is expected that the Port will respond to every comment received, hold a public hearing, and evaluate every possible alternative to minimize negative environmental impacts resulting from the overlay project. The recommendation was approved on a motion by Commissioner Mortensen, seconded and passed unanimously.

New License Agreement--International Airline and Travel School was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a new agreement for 3,640 sf of office space on the second floor of Building L-610; 620 sf of hallway; 2,400 sf of paved parking area, for a total monthly rental of $1,008. The recommendation was approved on a motion by Commissioner Mortensen, seconded and passed unanimously.

Assignment of Lease--APCOA was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for the assignment of the Airport parking lease from APCOA Division, ITT Consumer Services Corporation to APCOA, Inc. It was noted that the lease was in a holdover status. The recommendation was approved on passage of Resolution No. 23375.

Bay Area Study of Aviation Requirements was the subject of a memo to the Board from the Executive Director, recommending approval to add Thomas Bertken, Chief Engineer to the list of alternates to the Board of Control. The recommendation was approved on passage of Resolution No. 23377.

Evans Radio Dock was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the lease which includes the Livingston Street Pier and adjacent land and water areas expires on November 30, 1976. The lease contains one six-year option, subject to Port approval. It was recommended that the Board withhold its approval to the exercise of the six-year option in the Evans Radio Dock lease, as it is in the Embarcadero Marina redevelopment area. The recommendation was

approved on passage of Resolution No. 23378.

Modification of Boundaries--United Parcel was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that United Parcel has selected the second alternative of increasing their area by approximately 1.8 acres at an additional monthly rental of $720.63. It was noted that the alternatives were the result of the establishment of the limits of public access behind the United Parcel facility. It was recommended that the Board approve the First Supplemental Agreement to the lease, covering the increased area and the increased rental. The recommendation was approved on passage of an ordinance to print.

Sale of Business Park Site to Lincoln Property Company was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the proposed sale. The Real Estate Committee recommended that further negotiations take place and the item was referred back to the Properties Department.

Assignment of Lease--Buttner was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to assign the ground lease on Oakport Street from Commercial Industrial Supply Company to Edgar L. Buttner, Trustee of the Third Buttner Trust. The recommendation was approved on passage of Resolution No. 23379.

Approval of Subleases--Mardeco was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Bart Properties to occupy office space for a travel agency and Captain Scotty's Bait Shop to occupy space at the Webster Street Pier. The recommendation was approved on passage of Resolution No. 23380.

Easement to Pacific Telephone was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to execute a grant of easement to allow for the instal-

lation of underground duct and cable on the north side of Doolittle Drive, to serve the TRACON facility at North Field. The recommendation was approved on passage of Resolution No. 23381.

Approval of Sublease--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Angus J. Greenlaw to operate an antique shop and tea room in the Village. It was noted that the type of use has previously been approved and only the location is being revised. The recommendation was approved on passage of Resolution No. 23382.

Interim License Agreement--Apostleship of the Sea was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for an interim license agreement to cover an addition of 27 feet along the northerly side of the leased premises, to allow them to proceed as quickly as possible with their building expansion. The recommendation was approved on a motion by Commissioner Mortensen, seconded and passed unanimously.

Contract Change Order, Berths 2, 3 and 4 Wharf, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board that additional length was needed for the sheet piles to obtain sufficient embedment in the underlying soils, and that the contractor was instructed to proceed with the work. It was recommended that the Board ratify the action of the Chief Engineer and authorize negotiations for a change order to the contract. The estimated cost of the work is $40,000. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Award of Contract for Construction of Longshoremen's Buildings C-131 and C-318, Berths 2, 3 & 4, Outer Harbor was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the seven bids received and recommending award of the contract to Carl R. Banke, the low

bidder at $87,732.00. It was noted that a lower bid had been submitted but was found to be unenforceable as it contained obvious errors. The recommendation was approved on passage of Resolution No. 23383.

Supplemental Lease Agreement - New York Trade Development Office was the subject of a memo to the Board from the Manager, Marine Trade Development Department, recommending that the Board execute a lease extension agreement with the Port Authority of New York and New Jersey for the New York Trade Development office, which will expire July 31, 1981. The recommendation was approved on passage of Resolution No. 23384.

Certification of Final EIR and Approval of Redevelopment Plan for Market Street Terminal was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the report was ready for certification. The item was held over to be the subject of a work session.

Purchase of Two Key Punch Machines from Tab Products Co. was the subject of a memo to the Board from the Director, Fiscal Affairs, notifying the Board that the Port presently is renting the two machines and that they have been highly satisfactory. It was recommended that the Board find it to be in the best interests of the Port to dispense with formal bidding procedures and accept the offer of Tab Products Co. to sell to the Port the two key punch machines for a total price of $12,548 plus tax. The recommendation was approved on passage of Resolution No. 23385.

Deferred Compensation Plan was the subject of a memo to the Board from the Assistant to the Executive Director, notifying the Board of the proposed plan. Mr. James McDonnell, Executive Director of the Oakland Municipal Civil Service Employees' Association, appeared before the Board to request that he be allowed to study the proposed plan before any action would be taken. The request was granted and the item was continued.

Personnel Items contained in a memo to the Board from the Employee Relations Officer, recommended the appointment of Roderick F. Blanchette as Building Maintenance Engineer, effective August 5, 1976, at $1224 per month; John W. Cuthbertson and Raymond E. Street, as Utilities Supervisor, effective August 5, 1976, at $1787 per month. Also recommended was a military leave of absence for Raymond A. Boyle, Intermediate Traffic Representative and Traffic Analyst, for seven working days; and a military leave of absence for Homer Z. Hoglund, Semiskilled Laborer, for 12 working days; Nancy Jan, a leave of absence without pay for 47 working days; and William Alfred, Janitor, a leave of absence without pay for ten working days. Also recommended was a salary increase for Intermediate Typist Clerk Janet Palma, to rate "d"; and a salary increase for Chief Airport Serviceman Joseph Myers, to rate "f", both in recognition of extra duties being performed. Additionally recommended was the creation of two exempt positions of Relief Reservations Clerk for the Fly Oakland desk, and the retitling of "Truck Driver and Laborer" to "Truck Driver". The recommendation was approved on passage of Resolution No. 23386 for appointments, Resolution No. 23387 for leaves of absence, Resolution No. 23388 and Resolution No. 23389 for salary increases, and on an ordinance passed to print for creation of positions.

The Claim of John J. McKinnon was the subject of a letter to the Board from the Port Attorney, notifying the Board of the claim for alleged damages, and recommending that the Board reject the claim as investigation of the incident reveals no liability on the part of the Port. The recommendation was approved on passage of Resolution No. 23390.

Notice of Insufficiency of Claims Against the Board was the subject of a letter to the Board from the Port Attorney, recommending that the Port Attorney be authorized to provide written notice of insufficiency of claims presented to the Board when the

defects or omissions, in the Port Attorney's opinion, exist. The recommendation was approved on passage of Resolution No. 23391.

Issuance and Sale of $1,000,000.00 Principal Amount of Port of Oakland 1976 Small Craft Harbor Revenue Bonds was the subject of a letter to the Board from the Port Attorney, notifying the Board that the receipt of bids for the bonds, held at 2:00 p.m. was held to satisfy the provisions of the City Charter and that it was never anticipated that any bids would be received. The resolution adopted directing the sale of the bonds requires an affirmative vote of five members of the Board to authorize issuance of the bonds, and it was recommended that the resolution be readopted. The recommendation was approved on passage of Resolution No. 233404 and noted on Resolution No. 23351.

City of Oakland v. City of Alameda, et al., Alameda County Superior Court Action No. 450083-0 was the subject of a letter to the Board from the Port Attorney, notifying the Board that an owner of undeveloped land on Bay Farm Island has brought action to stop the recent settlement agreement, as it adversely affects the property and the owner's rights. The hearing was set for August 23, 1976, and an appropriate defense will be furnished. The information was noted and ordered filed.

Walters Engineering, Inc. was the subject of a letter to the Board from the Port Attorney, notifying the Board that the tenant had been notified that his tenancy would be terminated on June 30, 1976, and that he was given an additional month to move. It was recommended that the Port Attorney be authorized to bring an action of unlawful detainer to proceed with the eviction of the tenant, as he is still occupying the area. The recommendation was approved on passage of Resolution No. 23392.

Proposed Addendum to Section 4 of the Port of Oakland's Equal Opportunity Policy was the subject of a memo to the Board

from the Equal Opportunity Officer, referring to a legal action against Trans International Airlines by the Legal Aid Society of Alameda County for alleged employment discrimination, which named the Port of Oakland and members of the Board as codefendants. It was recommended that the Board approve certain additions to the Port's Equal Employment Opportunity Policy, which provides for an auditing requirement of the nondiscrimination clause in the Port leases and license and concession agreements and establishes procedures to assure achievement of the provisions contained in the clause. It was noted that the action would bring the Port into agreement with the Legal Aid Society with respect to the pending legal action. After discussion, the recommendation was approved on a motion by Commissioner Mortensen, seconded and passed by the following vote: Ayes, Berkley, Connolly, Lange and Mortensen - 4; Noes, Gainor, Soda and President Walters - 3.

Commissioner Lange asked that more information be made available concerning the reasons for the delays occurring in the preparation of and the execution of leases between the Port and tenants. The Port Attorney replied that the information was available and would be included in future status reports.

The following written reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of August 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of July 27, 1976.

Summary of Claims Paid from Various Funds for the Period July 9, 1976 through July 26, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Mortensen, Soda and President Walters - 7

Noes: None

Absent: None

"RESOLUTION NO. 23351

RESOLUTION AUTHORIZING THE ISSUANCE AND DIRECTING THE SALE OF $1,000,000 PRINCIPAL AMOUNT OF PORT OF OAKLAND 1976 SMALL CRAFT HARBOR REVENUE BONDS."

"RESOLUTION NO. 23375

RESOLUTION CONSENTING TO ASSIGNMENT OF LEASE AND CONCESSION AGREEMENT FROM APCOA DIVISION, ITT CONSUMER SERVICES CORPORATION TO APCOA, INC."

"RESOLUTION NO. 23376

RESOLUTION AUTHORIZING EXECUTION OF SEVENTH SUPPLEMENTAL AGREEMENT WITH APCOA, INC., AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23377

RESOLUTION REDESIGNATING MEMBER AND ALTERNATE MEMBERS OF BOARD OF CONTROL UNDER JOINT EXERCISE OF POWERS AGREEMENT RELATING TO REGIONAL AIRPORT STUDY."

"RESOLUTION NO. 23378

RESOLUTION WITHHOLDING APPROVAL TO EXERCISE OPTION TO EXTEND TERM OF LEASE WITH REGAL SEA FOOD CO."

"RESOLUTION NO. 23379

RESOLUTION CONSENTING TO ASSIGNMENT OF LEASE FROM COMMERCIAL AND INDUSTRIAL SUPPLY CO. TO EDGAR L. BUTTNER, AS TRUSTEE."

"RESOLUTION NO. 23380

RESOLUTION CONSENTING TO SUBLEASES BY MARDECO, INC., TO BART PROPERTIES AND CAPTAIN SCOTTY'S BAIT SHOP."

"RESOLUTION NO. 23381

RESOLUTION AUTHORIZING EXECUTION OF GRANT OF EASEMENT TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY."

"RESOLUTION NO. 23382

RESOLUTION CONSENTING TO SUBLEASE BY OAKLAND VILLAGE CORPORATION TO ANGUS J. GREENLAW."

"RESOLUTION NO. 23383

RESOLUTION AWARDING CONTRACT TO CARL R. BANKE GENERAL CONTRACTOR FOR CONSTRUCTION OF LONG-SHOREMEN'S BUILDINGS C-131 and C-318, BERTHS 2, 3 & 4, OUTER HARBOR TERMINAL; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS AND CASHIER'S CHECK TO BIDDERS."

"RESOLUTION NO. 23384

RESOLUTION AUTHORIZING EXECUTION OF EXTENSION OF LEASE WITH THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY."

"RESOLUTION NO. 23385

RESOLUTION FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PURCHASE TWO KEY PUNCH MACHINES WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE THEREOF."

"RESOLUTION NO. 23386

RESOLUTION APPROVING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23387

RESOLUTION CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 23388

RESOLUTION FURTHER AMENDING RESOLUTION NO. 23274 ASSIGNING JANET PALMA, INTERMEDIATE TYPIST CLERK, TO SCHEDULE NO. 22, RATE "D", AS FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23389

RESOLUTION ASSIGNING JOSEPH MYERS, CHIEF AIRPORT SERVICEMAN, TO SCHEDULE 46.6, RATE "F", AS FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23390

RESOLUTION REJECTING CLAIM OF JOHN J. McKINNON."

"RESOLUTION NO. 23391

RESOLUTION DESIGNATING THE PORT ATTORNEY TO PASS UPON THE SUFFICIENCY OF CLAIMS AGAINST THE BOARD AND TO GIVE NOTICE OF INSUFFICIENCY THEREOF."

"RESOLUTION NO. 23392

RESOLUTION AUTHORIZING FILING OF ACTION BY PORT ATTORNEY AGAINST WALTERS ENGINEERING INC."

"RESOLUTION NO. 23393

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23394

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT/ MODIFICATION NO. THREE OF LEASE FOR REAL PROPERTY WITH THE UNITED STATES OF AMERICA."

"RESOLUTION NO. 23395

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT/ MODIFICATION NO. THREE OF LEASE FOR REAL PROPERTY WITH THE UNITED STATES OF AMERICA."

"RESOLUTION NO. 23396

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH DOWNTOWN MERCHANTS PARKING ASSOCIATION, INC."

"RESOLUTION NO. 23397

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH JENS HANSEN."

"RESOLUTION NO. 23398

RESOLUTION RATIFYING FIRST ADDENDUM TO MEMORANDUM OF UNDERSTANDING WITH UNITED PUBLIC EMPLOYEES LOCAL 390, AFL-CIO, (CETA UNIT)."

"RESOLUTION NO. 23399

RESOLUTION RATIFYING SECOND ADDENDUM TO MEMORANDUM OF UNDERSTANDING WITH UNITED PUBLIC EMPLOYEES LOCAL 390, AFL-CIO."

"RESOLUTION NO. 23400

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH JORDAN/CASPER/WOODMAN/ DOBSON ARCHITECTURE STRUCTURAL ENGINEERING."

"RESOLUTION NO. 23401

RESOLUTION APPROVING BONDS OF CSB CONSTRUCTION, INC."

"RESOLUTION NO. 23402

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH COFFEE SYSTEMS, INC."

"RESOLUTION NO. 23403

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23404

RESOLUTION CONFIRMING RESOLUTION NO. 23351."

Port Ordinance No. 2007 being, "AN ORDINANCE ADDING SECTIONS 1.51, 1.52 and 1.53 TO PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", and Port Ordinance No. 2008 being, "AN ORDINANCE AMENDING SECTION 9.101 OF PORT ORDINANCE NO. 867 RECLASSIFYING TWO EXISTING POSITIONS OF UTILITIES FOREMAN TO UTILITIES SUPERVISOR", and Port Ordinance No. 2009 being "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1660 PROVIDING FOR CONTRIBUTIONS TOWARD THE COST OF GROUP DENTAL INSURANCE FOR EMPLOYEES OF THE PORT OF OAKLAND", and Port Ordinance No. 2010 being, "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT OF OAKLAND TOWARD THE COST OF EMPLOYEE GROUP HEALTH INSURANCE", and Port Ordinance No. 2011 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO APPLICATION FOR USE OF WHARF FACILITIES AND CONTAINER CRANES", and Port Ordinance No. 2012 being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH TRANS INTERNATIONAL AIRLINES", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Mortensen, Soda and President Walters - 7

Noes: None

Absent: None

Port Ordinance No. _____ being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH VALACAL COMPANY AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTIONS 9.06 AND 10.032 OF PORT ORDINANCE NO. 867 RETITLING EIGHT EXISTING POSITIONS OF TRUCK DRIVER AND LABORER TO TRUCK DRIVER AND CREATING

TWO ADDITIONAL POSITIONS OF RELIEF RESERVATION CLERK", and Port Ordinance No. _____ being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH THE ROMAN CATHOLIC WELFARE CORPORATION OF OAKLAND AND DIRECTING RECORDATION THEREOF", were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Mortensen, Soda and President Walters - 7

Noes: None

Absent: None

At the hour of 4:00 p.m., Commissioners Soda and Mortensen were excused from the meeting. At the hour of 4:10 p.m. the Board entered into executive session with the Port Attorney and reconvened in open session at the hour of 4:55 p.m., at which time the meeting was adjourned on a motion duly made and seconded.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, August 18, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, Second Vice President H. Boyd Gainor presiding, due written notice having been given members of the Board.

Commissioners present: Connolly, Lange, Mortensen and Second Vice President Gainor - 4

Commissioners absent: Berkley, Soda and President Walters - 3

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Director of Aviation; Airport Manager; Chief Engineer; Assistant Chief Engineer; Manager, Properties Department; Employee Relations Officer; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. Scott Benton, representing Dobbs Houses, Inc.; and Mr. Robert Lang, representing Oakland Aviation Council.

The minutes of the regular meeting of July 21, 1976 were approved as submitted and ordered filed.

Proposed Supplemental Sign Policy - North Airport was the subject of a memo to the Board from the Director of Aviation, notifying the Board that a supplemental policy has been prepared dealing with signs that are visible from Doolittle Drive. It was noted that the policy has been reviewed by the North Airport tenants, and it was recommended that the policy be adopted. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Request for Interior Alterations Food Fiesta-Terminal Building was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for interior alterations

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to certain fixtures in the Food Fiesta Restaurant to improve customer flow through the food counter and cashier stations; improve security; increase seating capacity; and improve the appearance of the facility. The estimated cost of the work is $5,000. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23419.

Modification of Lease--Aerospace Services was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the tenant located in Building L-621 at the North Airport has requested that their use clause be expanded to include the repair of aircraft and ground handling equipment; boat and motor sales and repair; and marine sales, service, and supplies. It was recommended that the Board approve the amendment to the lease and establish a percentage rental of 1% of gross receipts from the sale of new and used boats and 5% of gross receipts from all other marine retail sales. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Contract Completion Construction of Taxiways D & O, Adjacent Apron Areas, and Related Electrical Work, North Field was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, notifying the Board that the work was complete and that during the construction, two areas of asphaltic concrete and some Portland cement concrete were not able to meet the specifications. It was recommended that the Board approve of extending the contract for time delays and accepting the work as complete at a lower contract price of $931,879.15, reflecting the lower quality of the material not meeting specifications. The recommendation was approved on passage of Resolution No. 23405 for time extension and Resolution No. 23406 for accepting contract.

Approval of Subleases--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Jessie and Robert Craig to operate a cosmetics and lingerie shop; and Larry Down, to operate a sandals and

socks shop in the Village. The recommendation was approved on passage of Resolution No. 23407.

Proposed License Agreement--Alameda Yacht Harbor was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that further negotiations with the operators of the Oakland Marina leasehold have taken place. It was recommended that the Board approve the new license agreement effective through September 30, 1977, covering the present water areas, office space, and the watchman's residence at $825 a month against certain percentage rentals. Alameda Yacht Harbor will leave and maintain certain marina items now used in common by the Oakland Marina subtenants. The agreement will allow the Port to enter into separate license agreements with other shoreside occupants of the present Oakland Marina leased area. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Award of Contract for Landscaping and Irrigation of Alice Street and Parking Lot No. 9, Jack London Square was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the five bids received and recommending award of the contract to Christner Company, Inc., the low bidder at 13,598. The recommendation was approved on passage of Resolution No. 23408.

Building Permit Application from the Oakland Village Corporation was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements for a subtenant in the Village. The estimated cost of the work is $2,000. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23409.

Fire Detection Service for the Port of Oakland Building F-107 was the subject of a memo to the Board from the Supervising Electrical/Mechanical Engineer, recommending approval to execute

a renewed agreement for three years to cover the fire protection service in the Port of Oakland Building at $274.50 a month. The recommendation was approved on passage of Resolution No. 23410.

Building Permit Application for the Expansion of Victoria Station Restaurant Embarcadero Cove was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of a glass roof for the existing glass walled deck. The estimated cost of the work is $17,000. The Environmental Impact Report for the proposed expansion was previously considered by the Board. The recommendation was approved on passage of Resolution No. 23411.

Provisional Lease Agreement for Far East Office was the subject of a memo to the Board from the Deputy Executive Director, recommending approval to execute the agreement which reserves space and sets forth principal terms to cover 33 square meters in the new NYK Building. The agreement calls for several installment payments of security money prior to the completion of the building. The recommendation was approved on passage of Resolution No. 23412.

Port of Oakland Tariff Changes was the subject of a memo to the Board from the Manager, Marine Terminals and Traffic Manager, recommending approval to amend the Port's Tariff by defining certain merchandise and wharfage; establishing rates on crude rubber; provide for certain wharfage on "portable building modular units"; provide for minimum charges for space assignment; and increase the Sea-Land crane rental rates. The recommendation was approved on passage of an ordinance to print.

Deferred Compensation Plan was the subject of a memo to the Board from the Assistant to the Executive Director, notifying the Board that the staff has prepared a plan to allow Port personnel to participate in a deferred compensation plan, which compensation is retained by the employer and not subject to current income tax until the amounts are received, usually during retirement. It was

recommended that the Board approve the plan in principle, subject to any changes required by the Internal Revenue Service; appoint Central Bank as the Plan Administrator; and appoint an advisory committee for the administration of the plan. The recommendation was approved on passage of Resolution No. 23413 approving the plan; Resolution No. 23414 appointing Central Bank; and Resolution No. 23415 establishing an advisory committee.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of David A. Schwammel, as Construction Aide (CETA), effective August 10, 1976, at $857 per month; Daniel Roudebush, as Marine Marketing and Commercial Representative, effective August 16, 1976, at $1,485 per month; and Fred C. Hunt, as Youth Aide, Class "C", effective August 23, 1976, at $4.64 per hour. Also recommended was a military leave of absence for John L. Lambert, Port Supervising Engineer, for ten working days. The recommendation was approved on passage of Resolution No. 23416 for appointments and Resolution No. 23417 for military leave of absence.

Certificate of Completion Trenching Machine was the subject of a memo to the Board from the Manager, Purchasing Department, recommending that the contract with the John M. Cole Company be accepted as complete for the delivery of the trenching machine. The recommendation was approved on passage of Resolution No. 23418.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of Albert Lim, Senior Mechanical and Electrical Engineer to Montreal, Canada, on or about August 10, 1976, to review construction details on Plane-Mates; and the travel of Chief Airport Servicemen Charles J. McCarty and Oscar Olson to Oklahoma City, Oklahoma, on or about August 15, 1976, to attend a crash fire rescue training program. The recommendation was approved on passage of Resolution No. 23426.

Change in Publication Policy for Official Airline Guide was the subject of a letter to the Board from the Port Attorney, notifying the Board that the publishers of the North American Edition of the Official Airline Guide will list all air carrier direct and connecting flight schedules and fare information for the Metropolitan Oakland International Airport, the San Jose Municipal Airport and the San Francisco International Airport, under the heading "San Francisco Bay Area, California", commencing with the April 1, 1977 edition. It was noted this change has long been urged by the Port and was the result in part of a complaint filed by the Federal Trade Commission against the company. The information was noted and ordered filed.

Salary, Medical and Dental Benefit Increases for Clerical-Administrative Unit and Professional-Engineering Unit for Fiscal Year 1976-1977 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the conclusion of negotiations with the two groups and recommending approval of the required salary ordinances and ordinances relating to the medical and dental benefits which grant the same increases as granted to the maintenance-operations unit and the CETA unit. The basic increase is 6.2% for each of the classifications. The recommendation was approved on passage of the ordinances to print.

The following written reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of August 10, 1976.

Summary of Cash and Accounts Receivable Port Revenue Fund #801 for the Month of August 17, 1976.

Accounts Receivable 35 Days or More in Arrears as of August 17, 1976.

Accounts Receivable Referred to Port Attorney as of August 17, 1976.

Accounts Receivable - Other Departments as of August 17, 1976.

Summary of Claims Paid from Various Funds for the Period July 23, 1976 through August 9, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Connolly, Lange, Mortensen and Second Vice President Gainor - 4

Noes: None

Absent: Commissioners Berkley, Soda and President Walters - 3

"RESOLUTION NO. 23405

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH O. C. JONES AND SONS."

"RESOLUTION NO. 23406

RESOLUTION ACCEPTING WORK PERFORMED BY O. C. JONES AND SONS AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23407

RESOLUTION CONSENTING TO SUBLEASES BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23408

RESOLUTION AWARDING CONTRACT TO CHRISTNER COMPANY, INC. FOR LANDSCAPING AND IRRIGATION OF ALICE STREET AND PARKING LOT NO. 9, JACK LONDON SQUARE; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23409

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23410

RESOLUTION AUTHORIZING EXECUTION OF ALARM SIGNALING SERVICES AGREEMENT--SERIES III WITH PACIFIC FIRE EXTINGUISHER COMPANY."

"RESOLUTION NO. 23411

RESOLUTION GRANTING EMBARCADERO COVE ENTERPRISES PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23412

RESOLUTION AUTHORIZING EXECUTION OF PROVISIONAL LEASE AGREEMENT WITH YUSEN KOGYO KABUSHIKI KAISHA FOR FAR EASTERN OFFICE."

"RESOLUTION NO. 23413

RESOLUTION APPROVING IN PRINCIPLE PROPOSED DEFERRED COMPENSATION PLAN OF THE PORT OF OAKLAND."

"RESOLUTION NO. 23414

RESOLUTION APPOINTING PLAN ADMINISTRATOR FOR PROPOSED DEFERRED COMPENSATION PLAN OF THE PORT OF OAKLAND."

"RESOLUTION NO. 23415

RESOLUTION ESTABLISHING AND APPOINTING ADVISORY COMMITTEE FOR PROPOSED DEFERRED COMPENSATION PLAN OF THE PORT OF OAKLAND."

"RESOLUTION NO. 23416

RESOLUTION CONCERNING APPOINTMENTS."

"RESOLUTION NO. 23417

RESOLUTION GRANTING MILITARY LEAVE OF ABSENCE TO JOHN L. LAMBERT, PORT SUPERVISING ENGINEER."

"RESOLUTION NO. 23418

RESOLUTION ACCEPTING ONE TRENCHING MACHINE SUPPLIED UNDER CONTRACT WITH JOHN M. COLE COMPANY."

"RESOLUTION NO. 23419

RESOLUTION GRANTING DOBBS HOUSES, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23420

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH BUDGET RENT-A-CAR OF OAKLAND."

"RESOLUTION NO. 23421

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH SEA-LAND SERVICE, INC. AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23422

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH COOPERS & LYBRAND."

"RESOLUTION NO. 23423

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH ARNOLD & PALMER & NOBLE, INC."

"RESOLUTION NO. 23424

RESOLUTION APPROVING BONDS OF CARL R. BANKE GENERAL CONTRACTOR."

"RESOLUTION NO. 23425

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH ELLER OUTDOOR ADVERTISING COMPANY OF CALIFORNIA."

"RESOLUTION NO. 23426

RESOLUTION RATIFYING CERTAIN TRAVEL."

"RESOLUTION NO. 23427

RESOLUTION TERMINATING APPOINTMENT OF RICHARD B. GRIFFIN TO THE POSITION OF DEPUTY PORT ATTORNEY II AND RATIFYING SUSPENSION FROM DUTY."

Port Ordinance No. 2013 being, "AN ORDINANCE AMENDING SECTIONS 9.06 AND 10.032 OF PORT ORDINANCE NO. 867 RETITLING EIGHT EXISTING POSITIONS OF TRUCK DRIVER AND LABORER TO TRUCK DRIVER AND CREATING TWO ADDITIONAL POSITIONS OF RELIEF RESERVATION CLERK", and Port Ordinance No. 2014 being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH THE ROMAN CATHOLIC WELFARE CORPORATION OF OAKLAND AND DIRECTING RECORDATION THEREOF", and Port Ordinance No. 2015 being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH VALACAL COMPANY AND DIRECTING RECORDATION THEREOF", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Connolly, Lange, Mortensen and Second Vice President Gainor - 4

Noes: None

Absent: Commissioners Berkley, Soda and President Walters - 3

Port Ordinance No. _____ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO DEFINITION OF TECHNICAL TERMS, WHARFAGE RATES, SPACE ASSIGNMENTS, CONTAINER CRANE ASSIGNMENTS AND RENTAL RATES", and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT OF OAKLAND TOWARD THE COST OF EMPLOYEE GROUP HEALTH INSURANCE", and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1660 PROVIDING FOR CONTRIBUTIONS TOWARD THE COST OF GROUP DENTAL INSURANCE FOR EMPLOYEES OF THE PORT OF OAKLAND", and Port Ordinance No. _____ being, "AN ORDINANCE ADDING CERTAIN SECTIONS TO PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", were read a first time and passed to print by the following vote:

Ayes: Commissioners Connolly, Lange, Mortensen and Second Vice President Gainor - 4

Noes: None

Absent: Commissioners Berkley, Soda and President Walters - 3

At the hour of 2:05 p.m. on a motion duly made and seconded the meeting was adjourned.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, September 1, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, Second Vice President Gainor presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Lange, Mortensen and Second Vice President Gainor - 4

Commissioners absent: Connolly, Soda and President Walters - 3

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Assistant Port Attorney; Chief Engineer; Assistant Chief Engineer; Assistant Airport Manager; Assistant Properties Manager; Commercial Representative; Assistant Commercial Representative; Traffic Manager and Manager, Marine Terminals Department; Commercial Representative, North Field; Properties Representative Robert O'Maley; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. C. A. Newcomb, representing Sierra Academy; and Mr. Harmon Howard and Mr. Peter Howard, representing Howard Terminals.

Minutes of the regular meeting of August 4, 1976 and regular meeting of August 18, 1976 were approved as submitted and ordered filed.

Service pins were awarded to Mr. Dennis Everhart, Airport Serviceman, for 10 years; Mrs. Patricia Wilson, Intermediate Stenographer-Clerk, for 25 years; and Mr. J. Kerwin Rooney, Port Attorney, for 25 years.

Sierra Academy Lease was transmitted to the Board by a letter from the Port Attorney with an accompanying memo from the Manager, Properties Department, recommending approval of a new

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AND ORDERED FILED

ten year lease for Building L-130. The principal terms of the lease include: occupancy of all of Building L-130, containing 16,388 sf, with 32,563 sf of paved ramp area, 10,640 sf of paved automobile parking area, and 11,415 sf of unpaved and landscaped land areas. The initial rental will be $3,889.54 per month, subject to review and adjustment at two-year intervals. The use of premises will be for an aviation training school. The Port will make structural repairs to the building, paint and improve the exterior appearance of the building. Sierra Academy is to remove nonbearing partitions, install new interior partitions, modernize the interior and install landscaping and parking lot improvements. Sierra Academy is also to repair and maintain the premises except for the roof and exterior walls, parking area, ramp pavements and boiler serving Building L-130. Sierra Academy is to pay for all utilities, taxes and assessments. The project is considered to be categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of an ordinance to print.

Proposed License Agreement--Flexi-Van Leasing Inc. was the subject of a memo to the Board from the Assistant Properties Manager, recommending approval for a new license agreement to add 139,770 sf of open area adjacent to their recently leased premises. The area is to be vacated by American Container Repair Service and the additional area would be at the monthly rental of $2,882.34. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

New Restaurant Lease--Marconi was transmitted to the Board by a letter from the Port Attorney together with a memo from the Manager, Properties Department, recommending approval of the lease with a basic term of 5 years with options to extend for occupancy of 10,670 sf on the first floor of the Port Building. Basic terms of

the lease include: a minimum rental of $3,500 per month, with adjustment each three years against a percentage rental of 6-1/2% of gross receipts. The premises will be used for a Mexican restaurant and cocktail lounge. The lessee is to remodel the interior and exterior of the premises at a cost of not less than $200,000 including equipment and furnishings, with completion date within six months of the effective date of the lease. The lessee will provide performance, labor and material bonds in the amount of 50% of the remodeling cost. The lessee will be responsible for all maintenance and repairs, liability insurance, fire legal liability insurance, and fire insurance on the improvements. The lessee is to pay for all taxes, assessments, utilities, licenses, and permits. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of an ordinance to print.

Lease Renewal--KDIA was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a 5-year lease renewal on the 6.9 acres of land and water area on the northly side of the Bay Bridge approaches for its radio station and transmitter site. The initial monthly rental would be $775 per month, subject to adjustment after 20 months and 40 months of the lease term and in accordance with any percentage change in the Consumer Price Index. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

New Retail Space--Sabnani was transmitted to the Board by a letter from the Port Attorney together with a memo from the Manager, Properties Department, recommending approval of a 5-year lease for 681 sf on the first floor of the Port Building facing Embarcadero for use as a retail tailor shop. The initial minimum rental will be $340.50 per month, subject to review and adjustment at the end of the first 30 months to conform with the prevailing rental rates in Jack London Square area. The minimum rental is

against a percentage rental of 5% of gross sales. The project is categorically exempt and a environmental impact report is not required. The recommendation was approved on passage of an ordinance to print.

National Airmotive--Third Supplemental Agreement to Lease was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to amend their lease to provide for the lessee to self-insure its fire insurance coverage up to $10,000. The recommendation was approved on a motion by Commissioner Walters, seconded and passed unanimously.

Demolition and Building Permit Applications Embarcadero Cove Enterprises was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the demolition of two old buildings on the site and the relocation of a small old office building from Pacific Hardwood Sales, to the location for use as an office building. The estimated cost of the work is $10,000. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23428.

Certification of Final EIR and Approval of Redevelopment Plan for Market Street Terminal was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the Draft Environmental Impact Report has been subjected to public review and the resulting comments have been incorporated into the final document. It was noted in the report that the fill would have certain adverse effects but may be justified as the fill is for a priority use of the Bay and alternatives do not exist. It was also noted that a public viewing area is proposed and that disruption caused by construction activities are of a temporary nature and will subside upon completion of the construction activities. It was recommended that the Board review and consider the final Environmental Impact Report, certify the completion of the report and find the project

has no significant local and environmental impacts but would have significant regional impact which are mitigated by economic and commercial reasons. Also recommended was approval of the Market Street Terminal Master Plan for redevelopment. The recommendation was approved on passage of Resolution No. 23429 certifying the report, and Resolution No. 23430 approving plan.

Amendment of Matson Marine Terminal Lease was the subject of a memo to the Board from the Deputy Executive Director, recommending approval to amend the lease to provide for an enlargement of the premises by 1.24 acres at an additional monthly rental of $406.18. The amendment is necessary to resolve the responsibility for maintenance dredging between a portion of Matson's berthing area and the Federally maintained channel. Additionally, Matson will reimburse the Port $11,828.03 for maintenance dredging in the additional berthing area and the Port will assume the cost of $6,602.74 for the most recent maintenance dredging between the additional berthing area and the channel. Matson will reimburse the Port for the actual cost of maintenance dredging in the additional berthing area as well as the Port's maintenance dredging cost for the area between the widened berth and the Federal channel. The recommendation was approved on a passage of an ordinance to print.

Renewal of Contract with Igor O. Weinert was the subject of a memo to the Board from the Manager, Marine Trade Development, notifying the Board of the contract and recommending that his basic compensation be increased to 91,163 Belgian Francs. Additionally, recommended was the provision for annual ordinary expenses for maintaining the Port's European office, secretarial, travel and promotional expenses be increased to 1,352,400 Belgian Francs. After discussion, the recommendation was approved on a motion by Commissioner Berkley, seconded and passed unanimously.

Plans and Specifications for Construction of Office Building C-320 and Storage Shed C-321, Berth 4 was the subject

of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the construction of the building to be used by Marine Terminals Corporation and by Maersk Line. The environmental impact report for the area has previously been considered by the Board. The recommendation was approved on passage of Resolution No. 23431.

Plans and Specifications for Construction of Addition to Office Building C-534 was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the construction of the office space addition. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23432.

Port of Oakland Tariff Changes was the subject of a memo to the Board from the Traffic Manager and Manager, Marine Terminals Department, recommending that the tariff be amended to provide for an item containing the definition of service and facilities charges and to establish a new item providing for wharf storage rates for crude rubber. The recommendation was approved on passage of an ordinance to print.

Anchor from U.S.S. Oriskany was the subject of a memo to the Board from the Public Relations Director, notifying the Board that Oakland's Adopted Ship, the U.S.S. Oriskany is to be decommissioned and that the Mayor has requested that the Navy place one of the ship's anchors in Jack London Square. It was recommended that the Board approve acceptance of the anchor and the placement of the anchor at the entrance to Parking Lot #5. The recommendation was approved on a motion by Commissioner Mortensen, seconded and passed unanimously.

Specifications and Authority to Advertise for Furnishing and Delivering Polyvinyl Chloride Sheets was the subject of a memo to the Board from the Manager, Purchasing Department, recommending their

approval and authority to advertise for bids for the pile wrap sheets. The recommendation was approved on passage of Resolution No. 23433.

Personnel Items contained in a memo to the Board from the Employee Relations Officer, recommended the appointment of Janice Boell, as Relief Telephone Operator, effective August 11, 1976, at $4.44 per hour; Lynde Glisson, as Key Punch Operator, effective August 12, 1976, at $4.72 per hour; Maxine Dell, as Stock Clerk, CETA, effective August 16, 1976, at $788 per month; Patricia White, as Relief Reservation Clerk, effective August 17, 1976, at $4.44 per hour; Jacqueline L. Arnold, as Telephone Operator, effective August 26, 1976, at $732 per month; and Charles Boles, as Airport Serviceman, effective September 2, 1976, at $1593 per month. It was also recommended that a leave of absence be granted for Alfonso Loera, Airport Serviceman, for 6 working days; and a leave of absence for Benny Brown, Janitor, for 5 working days. The recommendation was approved on passage of Resolution No. 23434 for leaves of absence; Resolution No. 23435 for CETA appointment; and Resolution No. 23436 for appointments.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of the Executive Director and the Chief Engineer to Washington, D. C. on or about September 13, 1976, in connection with the Corps of Engineers consulting project. The recommendation was approved on passage of Resolution No. 23441.

Reimbursement of Deductible Sum to Harbor Insurance Company was the subject of a letter to the Board from the Port Attorney, notifying the Board of damages sustained to property owned by Mr. John Baker, a Port tenant. The Harbor Insurance Company has settled the claim for $1,288.00. It was recommended the Port authorize the reimbursement of $250.00 to Harbor Insurance Company which amount is the Port's deductible sum. The recommendation was approved on passage of Resolution No. 23437.

Alameda Yacht Harbor, Inc. v. Board of Port Commissioners, Alameda County Superior Court Action No. 484037-8 was the subject of a letter to the Board from the Port Attorney, notifying the Board that the action was filed for declaratory relief on the question of ownership of the flotation equipment at the location known as the Oakland Marina. It was noted that an appropriate defense would be provided. The information was noted and ordered filed.

Port/Alameda/HBI Settlement Agreement was the subject of a letter to the Board from the Port Attorney, notifying the Board that the terms of the settlement agreement are in the process of being implemented. The court has dismissed the motion of Emily D. Silva to be named an indispensable party in one action, and the court's judgment permits HBI to begin construction on Bay Farm Island north of a designated line, requires the City of Alameda to prepare a new General Plan and restrains HBI from constructing homes south of the designated line prior to the expiration of two years or the exercise by the Port of an option to acquire a noise easement and release over HBI property south of that line. In another action, an amended judgment was signed permitting the Port to undertake the improvements set forth in its Terminal Complex Expansion Program (which include Plane-Mates, second level addition to Finger Building and additional baggage claim device), omits provisions of the original judgment for continuing jurisdiction by the court, provides that the Airport Master Plan EIR is adequate solely for the Phase I development and provides that any development intended to accommodate in excess of four million annual passengers shall require an additional EIR. A nuisance suit against the Port has been dismissed. An annexation agreement is being drafted to establish the procedures for all necessary transfers, lease amendments and annexation involving the 581 acres that the Port leases from the City of Alameda or owns within that City's territorial boundaries, which are proposed to be brought under the ownership of the Port and other areas to be transferred and annexed

to the City of Alameda for improvement in connection with the City Line Road. The information was noted and ordered filed.

Sale of Business Park Site to Lincoln Property Company was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the Real Estate Committee and Properties Department has concluded that the remaining sites in the Oakland Airport Business Park along the Edgewater Drive westerly of Elmhurst Channel should be marketed for warehouse and light industrial uses, with a correspondingly lower price structure than for other sites designated for office or commercial use. An offer has been received from Lincoln Property Company to purchase a site containing approximately 9.3 acres, known as B-27, for the development of a warehouse site. The complex would include three large warehouse buildings and would be available for lease to warehouse users. It was recommended the Board approve in principle the sale of Parcel B-27 consisting of approximately 406,917 sf at $1.05 per square foot or approximately $427,262.85 subject to the following conditions: Lincoln Property will deposit $10,000 with the Port in which an initial 60-day feasibility analysis period will take place, at the conclusion of the 60 days an additional $15,000 nonrefundable deposit will be required and would provide for a 60-day period for Lincoln Properties to finalize their plans. To bring their property up to proper soil conditions, Lincoln will surcharge the area for 7 months and an additional 7 months of surcharge would be available with a further nonrefundable deposit of $25,000. The Port will purchase up to 60,000 cubic yards of surplus fill at the conclusion of the surcharging program at a cost not to exceed a $1.25 per cubic yard. Additionally the Port will relocate a P. G. & E. easement off the parcel and install a railroad drill track along Elmhurst Channel from which a switch and spur track can be located. Lincoln Properties will construct all three warehouse buildings immediately following the completion of

the surcharge program. It was also noted that the required environmental documents would be prepared prior to the conclusion of the proposed sale. The recommendation was approved on a motion by Commissioner Mortensen, seconded and passed unanimously.

The following written reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of September 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of August 24, 1976.

Summary of Claims Paid from Various Funds for the Period August 6, 1976 through August 24, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Lange, Mortensen and Second Vice President Gainor - 4

Noes: None

Absent: Commissioners Connolly, Soda and President Walters - 3

"RESOLUTION NO. 23428

RESOLUTION GRANTING EMBARCADERO COVE ENTERPRISES PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23429

RESOLUTION CERTIFYING COMPLETION OF ENVIRONMENTAL IMPACT REPORT FOR PROPOSED MARKET STREET TERMINAL: MASTER PLAN FOR REDEVELOPMENT, AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH."

"RESOLUTION NO. 23430

RESOLUTION APPROVING PORT OF OAKLAND MARKET STREET TERMINAL MASTER PLAN FOR REDEVELOPMENT."

"RESOLUTION NO. 23431

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF OFFICE BUILDING C-320 & STORAGE SHED C-321, BERTH 4, OUTER HARBOR TERMINAL, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23432

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF ADDITION TO OFFICE BUILDING C-534, SEVENTH STREET TERMINAL, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23433

RESOLUTION APPROVING SPECIFICATIONS FOR FURNISHING AND DELIVERING POLYVINYL-CHLORIDE SHEETING TO THE PORT OF OAKLAND, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23434

RESOLUTION APPROVING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 23435

RESOLUTION RATIFYING APPOINTMENT OF MAXINE DELL TO THE POSITION OF STOCK CLERK IN CONNECTION WITH PARTICIPATION IN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973."

"RESOLUTION NO. 23436

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23437

RESOLUTION MAKING APPROPRIATION TO REIMBURSE HARBOR INSURANCE COMPANY."

"RESOLUTION NO. 23438

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23439

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH CENTRAL BANK, N. A."

"RESOLUTION NO. 23440

RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE POWER OF ATTORNEY IN CONNECTION WITH DEFERRED COMPENSATION PLAN OF THE PORT OF OAKLAND."

"RESOLUTION NO. 23441

RESOLUTION AUTHORIZING CERTAIN TRAVEL."

"RESOLUTION NO. 23442

RESOLUTION APPROVING BONDS OF CHRISTNER COMPANY, INC."

"RESOLUTION NO. 23443

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH OVERSEAS NATIONAL AIRWAYS, INC."

"RESOLUTION NO. 23444

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23445

RESOLUTION APPOINTING AND EMPLOYING SPECIAL COUNSEL."

Port Ordinance No. 2016 being, "AN ORDINANCE ADDING CERTAIN SECTIONS TO PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", and Port Ordinance No. 2017 being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 964 RELATING TO DEFINITION OF TECHNICAL TERMS, WHARFAGE RATES, SPACE ASSIGNMENTS, CONTAINER CRANE ASSIGNMENTS AND RENTAL RATES", and Port Ordinance No. 2018 being, "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT OF OAKLAND TOWARD THE COST OF EMPLOYEE GROUP HEALTH INSURANCE", and Port Ordinance No. 2019 being, "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1660 PROVIDING FOR CONTRIBUTIONS TOWARD THE COST OF GROUP DENTAL INSURANCE FOR EMPLOYEES OF THE PORT OF OAKLAND", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Lange, Mortensen and Second Vice President Gainor - 4

Noes: None

Absent: Commissioners Connolly, Soda and President Walters - 3

Port Ordinance No. ____ being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH SIERRA ACADEMY OF AERONAUTICS, INC.", and Port Ordinance No. ____ being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE WITH MARCONI, INC.", and Port Ordinance No. ____ being, AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE WITH ARJAN H. SABNANI", and Port Ordinance No. ____ being, "AN ORDINANCE AUTHORIZING EXECUTION OF FIFTH SUPPLEMENTAL AGREEMENT WITH MATSON TERMINALS, INC.", and Port Ordinance No. ____ being, 'AN ORDINANCE ADDING ITEMS NOS. 50 AND 1130 TO PORT ORDINANCE NO. 964 RELATING TO DEFINITION OF TECHNICAL TERMS AND WHARF DEMURRAGE AND STORAGE", were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Lange, Mortensen and Second Vice President Gainor - 4

Noes: None

Absent: Commissioners Connolly, Soda and President Walters - 3

At the hour of 2:35 p.m. on a motion duly made and seconded the meeting was adjourned.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, September 15, 1976, at the hour of 2:30 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Gainor, Lange, Soda and President Walters - 5

Commissioners absent: Connolly and Mortensen - 2

Also present were the Executive Director; Deputy Executive Director; Port Attorney; Chief Engineer; Assistant Chief Engineer; Director of Aviation; Airport Manager; Director of Airport Planning; Commercial Representative, North Field; Manager, Properties Department, Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. C. A. Newcomb, representing Sierra Academy; Attorney William E. Vaughan; Mr. James Snead, representing McDaniel & Snead Inc. Christmas Tree Sales; and Mr. Brooke Spectorsky, representing KTVU-TV.

The minutes of the regular meeting of September 1, 1976 were approved as submitted and ordered filed.

New License Agreement--California Air Charter was the subject of a memo to the Board from the Manager, Properties Department, recommending approval of a new one-year license agreement with California Air Charter to occupy space in Hangar Building L-210 for the storage, maintenance, and repair of light aircraft used in their financial air courier service at a total monthly rental of $939.88. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

New License Agreement--Independent Aircraft Maintenance was the subject of a memo to the Board from the Manager, Properties

Board of Port Commissioners Meeting
Secretary Christine L Marshall
Action OCT 6 1976
APPROVED AS SUBMITTED
AND ORDERED FILED

Department, recommending approval for a new one-year license agreement with Independent Aircraft Maintenance to occupy T-hangars L-905A and L-905C with adjacent paved ramp area for use as a light aircraft maintenance operation for a total monthly rental of $373.96. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Plans and Specifications for Partial Raising of Building L-130, Metropolitan Oakland International Airport was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the structural repairs to the building. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23447.

Sign Permit Application--Embarcadero Cove Enterprises was the subject of a memo to the Board from the Port Environmental Planner, notifying the Board that an application has been submitted to paint two roof signs on Building J-216. During previous discussion, the Board had asked for a proposed policy on rooftop signs which was attached and submitted to the Board for approval. It was recommended the application be denied as it did not comply to the proposed rooftop sign policy. The rooftop sign policy was approved on a motion by Commissioner Lange, seconded and passed on the following vote: Ayes - Commissioners Berkley, Gainor, Lange and President Walters - 4; Noes - Commissioner Soda - 1; Absent - Commissioners Connolly and Mortensen - 2. The sign application was denied on passage of Resolution No. 23446.

Right of Entry--Mullin Construction was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to issue a right of entry for the firm which is installing a drainage pipe in the existing right of way under contract with the Alameda County Flood Control and Water Conservation District.

The recommendation was approved on passage of Resolution No. 23460.

New License Agreement--Center Wholesale was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a new one-year license agreement for 10,385 square feet of Building J-215 for the storage of roofing materials at a total monthly rental of $726.95. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

License Agreement and Sign Permit Application--McDaniel & Snead, Inc. was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a two-month license agreement for the corner location at Oakport Street and Hassler Way for the operation of a Christmas Tree Lot. It was noted that the company has used the site for the past three years and that they have left the site in satisfactory condition. The rental would be $4,000 against 5% of the gross sales. It was also recommended that conceptual approval be granted for the temporary sign program as the standards and restrictions do not allow for advertising signs. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Approval of Subleases--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Vicki DeLong and Jean McBride to operate a jewelry and lapidary shop; Robert J. Modica to operate a men's and women's hair styling shop; Jerry Devine to operate an Irish clothing and imports shop; and Raymond T. and Judy Diamond to operate a health foods and related products shop. Also recommended was an assignment of lease to Sandra K. Anderson for the operation of an art gallery known as Pegasus Graphics. The recommendations were approved on a passage of Resolution No. 23448 for the new subleases and Resolution No. 23449 for the lease assignment.

Contract Completion--Construction of Alice Street Improvements was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending the contract with Gallagher and Burk, Inc. be accepted as complete as of February 4, 1976, with a contract price of $75,437.71. The recommendation was approved on passage of Resolution No. 23450.

Building Permit Application for Building Addition to Apostleship of the Sea was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of a building addition of 2,000 square feet to the Apostleship of the Sea. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution 23451.

Building Permit Application KTVU was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements to improve working conditions and expand equipment storage space. The estimated cost of the work is $58,000. The project is considered to be categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23452.

Building Permit Applications from Oakland Village Corp. for Alterations to Subleased Premises in Jack London Village was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements for three sub-tenants in the Village at a total estimated cost of $9,800. The recommendation was approved on passage of Resolution No. 23453.

Marine Terminals Corp., Ninth Avenue Terminal was the subject of a memo to the Board from the Traffic Manager and Manager, Marine Terminal Department, recommending approval in principle for a new two year Preferential Assignment Agreement for the operation

of the Ninth Avenue Terminal. Basic provisions of the agreement are: revenue split of terminal charges to be 85% accruing to the Port and 15% to Marine Terminals Corp; minimum annual guarantee of terminal revenue to the Port of $400,000; and the addition of certain contiguous areas to their agreement which have previously been on a space assignment basis. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Amendment to Seatrain/APL/Port Agreement on Additional Improvements, Middle Harbor Terminal was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the agreement for the improvements and recommending that the agreement be amended to reflect the design changes that have occurred in the planning stage. The Container Freight Station would be a one-story building of approximately thirty-six thousand (36,000) square feet on a raised, dock-height floor with a canopy and loading platform extending the full length of both sides of the building. The Warehouse and Storage building would be a one-story building of approximately twenty thousand (20,000) square feet. Yard alterations would include an access roadway off the premises, provided the necessary easement can be obtained from Western Pacific Railroad. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Removal of Unsuitable Materials, Outer Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, notifying the Board that the contractor for the yard improvements at Outer Harbor Terminal has been correcting the unstable subgraded areas and that more work is anticipated. It is recommended the Board approve the contract change order issued and authorize additional change orders as needed at a total cost not to exceed $18,000. The recommendation was approved on a motion by Commissioner Soda, seconded and passed unanimously.

Contract Completion--Demolition of Water Tower, Outer Harbor was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with Bay Cities Paving and Grading, Inc. be accepted as complete as of August 27, 1976, with a contract price of $2,740. The recommendation was approved on passage of Resolution No. 23454.

Proposal for Continuation of the Cooperative Work-Study Program for Engineering Students was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the program has proved to be mutually beneficial to the Port, the students and the University of California. It was recommended the Board approve the continuation of the program for an indefinite period. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Furnish, Install and Remove Decorative Lighting of Trees and Decorations, Jack London Square was the subject of a memo to the Board from the Supervising Electrical Mechanical Engineer, notifying the Board of the Christmas decorations program for Jack London Square and recommending approval for the program at an estimated cost of $28,000 and that the work be done by the Port forces. The recommendation was approved on a motion by Commissioner Soda, seconded and passed unanimously.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommending the appointment of Stephen A. Cox, Rogel T. Umali, and Leo Anderson, as Construction Aides, CETA, effective September 16, 1976, at $868 per month. Also recommended was a leave of absence for Mrs. Evonne Yfantis, Senior Secretary, for 16 working days; and a medical leave of absence for Joan B. McCartin, Intermediate Stenographer Clerk, for an indefinite time. Further recommended was the creation of one position of Port Environmental Planner Associate and two positions of Utility Foreman. The recommendations were approved on passage of Resolution

No. 23455 for leave of absences, Resolution No. 23456 for appointments and creations of positions on an ordinance passed to print.

Travel Authorization contained in a memo to the Board from the Executive Director recommended the travel of the Senior Marine Marketing and Commercial Representative to Chicago, Illinois on or about September 12, 1976, to inform consolidated service users of new freight rates; travel of the Manager, Marine Trade Development to Chicago, Illinois and New York, New York on or about September 19, 1976, for trade development purposes; and the travel of Senior Engineer Paul Sorensen to Washington D. C. on or about September 13, in connection with the Corps of Engineers Saudi Arabian Project; and travel to Philadelphia, Pennsylvania on or about September 28, to attend meetings of the American Society of Civil Engineers. The recommendation was approved on passage of Resolution No. 23457.

Certificate of Completion - Furnishing and Delivering Two (2) Subcompact Sedans was the subject of a memo to the Board from the Manager, Purchasing Department, recommending that the contract with Cochran and Celli Chevrolet Company be accepted as complete as of June 30, 1976. The recommendation was approved on passage of Resolution No. 23462.

Temporary Appointment of Legal Stenographer was the subject of a letter to the Board from the Port Attorney, recommending creation of a temporary position of Legal Stenographer and approval to appoint Mrs. Carol Wingerd to the position in the Port Attorney's Office. The recommendation was approved on passage of Resolution No. 23458.

The following written reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of September 3, 1976.

Summary of Cash and Accounts Receivable Port Revenue Fund #801 for the Month of August 31, 1976.

Accounts Receivable 35 Days or More in Arrears as of September 14, 1976.

Accounts Receivable Referred to Port Attorney as of September 14, 1976.

Accounts Receivable - Other Departments as of September 17, 1976.

Summary of Claims Paid from Various Funds for the Period August 19, 1976 through September 3, 1976.

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange and President Walters - 4

Noes: Commissioner Soda - 1

Absent: Commissioners Connolly and Mortensen - 2

"RESOLUTION NO. 23446

RESOLUTION DENYING EMBARCADERO COVE ENTERPRISES PERMISSION TO PERFORM CERTAIN WORK."

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Soda and President Walters - 5

Noes: None

Absent: Commissioners Connolly and Mortensen - 2

"RESOLUTION NO. 23447

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR PARTIAL RAISING OF BUILDING L-130, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23448

RESOLUTION CONSENTING TO SUBLEASES BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23449

RESOLUTION CONSENTING TO ASSIGNMENT OF SUBLEASE OF OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23450

RESOLUTION ACCEPTING WORK PERFORMED BY GALLAGHER & BURK, INC. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23451

RESOLUTION GRANTING THE ROMAN CATHOLIC WELFARE CORPORATION OF OAKLAND PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23452

RESOLUTION GRANTING SAN FRANCISCO-OAKLAND TELEVISION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23453

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23454

RESOLUTION ACCEPTING WORK PERFORMED BY BAY CITIES PAVING AND GRADING, INC. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23455

RESOLUTION CONCERNING CERTAIN LEAVES OF ABSENCE."

"RESOLUTION NO. 23456

RESOLUTION APPROVING CERTAIN APPOINTMENTS IN CONNECTION WITH PARTICIPATION IN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973."

"RESOLUTION NO. 23457

RESOLUTION CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 23458

RESOLUTION CREATING TEMPORARY POSITION OF LEGAL STENOGRAPHER AND MAKING APPOINTMENT THERETO."

"RESOLUTION NO. 23459

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH CHROMALLOY PHARMACEUTICAL, INC. AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23460

RESOLUTION AUTHORIZING EXECUTION OF CONDITIONAL RIGHT OF ENTRY PERMIT TO A. E. MULLIN CONSTRUCTION, INC."

"RESOLUTION NO. 23461

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23462

RESOLUTION ACCEPTING TWO CHEVROLET CHEVETTE SUBCOMPACT SEDANS SUPPLIED UNDER CONTRACT WITH COCHRAN & CELLI CHEVROLET."

"RESOLUTION NO. 23463

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

Port Ordinance No. 2020 being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH SIERRA ACADEMY OF AERONAUTICS, INC.", and Port Ordinance No. 2021 being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE WITH MARCONI, INC.", and Port Ordinance No. 2024 being, "AN ORDINANCE ADDING ITEMS NOS. 50 AND 1130 TO PORT ORDINANCE NO. 964 RELATING TO DEFINITION OF TECHNICAL TERMS AND WHARF DEMURRAGE AND STORAGE", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Soda and President Walters - 5

Noes: None

Absent: Commissioners Connolly and Mortensen - 2

Port Ordinance No. ____ being, "AN ORDINANCE ADDING SECTIONS 8.143 AND 9.102 TO PORT ORDINANCE NO. 867 CREATING ONE POSITION OF PORT ENVIRONMENTAL PLANNER ASSOCIATE AND TWO POSITIONS OF UTILITIES FOREMAN", and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING CERTAIN SECTIONS OF PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Gainor, Lange, Soda and President Walters - 5

Noes: None

Absent: Commissioners Connolly and Mortensen - 2

The Deputy Executive Director notified the Board that it was expected that the Grant Offer of $3.5 million for the Runway 11/29 Overlay Project from the Airport Development Aid Program would be presented to the Board on September 29, 1976. A Negative Declaration for the project has been filed with the State and

Region for review. It was noted that interested parties were notified that the Board would receive additional comments through the meeting of September 29, 1976 in order to evaluate every alternative to minimize negative environmental impacts resulting from the overlay project. Comments were solicited at the meeting but no presentations were made.

At the hour of 3:00 p.m. on a motion duly made and seconded the meeting was adjourned until September 29, 1976 at the hour of 2:00 p.m. in the office of the Board.

* *

The meeting was reconvened on Wednesday, September 29, 1976 at the hour of 2:12 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding.

Commissioners present: Berkley, Connolly, Lange, Mortensen, Soda and President Walters - 6

Commissioners absent: Gainor - 1

Also present were the Executive Director; Deputy Executive Director; Port Attorney; Deputy Port Attorney Thomas D. Clark; Chief Engineer; Director of Airport Planning; Director of Aviation; Airport Manager; Manager, Properties Department; Director of Public Relations; and Secretary of the Board.

Visitors attending the meeting included Attorney William E. Vaughan; and Mrs. Ann Dixon, representing Jack London Village.

Runway 11/29 Overlay Project - Acceptance of FAA Grant Offer of $3.5 Million Funding Under Airport Development Aid Program was the subject of a memo to the Board from the Director of Airport Planning, notifying the Board that the project has been approved by the Federal Aviation Administration and the Grant offer has been issued to the Port. The Board asked if anyone attending the meeting wished to make any further comments on the initial study and negative declaration prepared for the project. It was noted that all

the comments that had been received had been responded to in writing and had resulted in development of a new construction procedure. It was recommended that the Board certify its review of the initial study and negative declaration and comments and responses thereto and find that they were prepared in compliance with the California Environmental Quality Act; approve the recommended construction procedure as described in the responses to comments; and authorize the acceptance of the FAA Grant. The recommendation was approved on passage of Resolution No. 23464 for the environmental review and for approval of the construction procedure, and Resolution No. 23465 for accepting the Grant offer.

License Agreement with Oakland Village Corporation for Jack London Village Sign was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for a license agreement with the Village for the placement of a free-standing sign off of their leased premises at Embarcadero West and Alice Street. The recommendation was approved on a motion by Commissioner Mortensen, seconded and passed unanimously.

Approval for American President Lines to Re-Stripe Their Container Storage Yard was the subject of a memo to the Board from the Assistant Chief Engineer, recommending approval for the re-striping and certain construction work to allow for revision of the van parking arrangement. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23474.

Structural Engineering Services for Outer Harbor Terminal Container Crane Construction was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, notifying the Board that Jordan/Casper/Woodman/Dobson has been used for consultation services in connection with the structural inspection of the new

PACECO container cranes and their services have exceeded the original estimate. It was recommended the Executive Director be authorized to retain the firm for services at a cost not to exceed $6,500. The recommendation was approved on passage of Resolution No. 23466.

Assurance of Local Cooperation - Outer Harbor Channel was the subject of a memo to the Board from the Chief Engineer, notifying the Board of the Corps of Engineers final Feasibility Report to deepen and widen the Oakland Outer Harbor Channel and recommending the Board reaffirm support for the project and provide the necessary requirements of local cooperation. Included in the local cooperation responsibilities are: evidence of the existence of a sponsoring public body; assure availability of necessary land, easements and right-of-way; accomplish without cost to the U.S. certain alterations to utilities facilities; dredge the berthing areas commensurate with the new project depth; and comply with certain standard federal provisions related to hold harmless, pollution prevention and control, and civil rights. The recommendation was approved on passage of Resolution No. 23467.

Travel Authorization contained in a memo to the Board from the Executive Director, recommending ratification of travel of the Traffic Manager & Manager Marine Terminal Department to Portland, Oregon on or about September 23, 1976 to attend certain association meetings; and the travel of the Deputy Executive Director and the Manager, Air Traffic Development Department, to Washington, D. C. on or about September 30, 1976 on airport matters. The recommendation was approved on passage of Resolution No. 23468.

Appointment of Legal Stenographer was the subject of a letter to the Board from the Port Attorney, recommending that Shirley A. MacFarlane be appointed to the position of Legal Stenographer effective October 4, 1976. The recommendation was approved on passage of Resolution No. 23469.

Oil Spill of February 23, 1976 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the Oil Spill Case and that the Coast Guard hearing officer has assessed a $100.00 civil penalty against the Port. It was noted that in prior cases the fine has been paid as the cost of appeal would be much greater than the penalty. After discussion, a motion by Commissioner Mortensen, seconded and passed unanimously, directed the Port Attorney to appeal the decision to the Commandant, United States Coast Guard, via the Commander, Twelfth Coast Guard District.

Claim of Hellene Mitzel was the subject of a letter to the Board from the Port Attorney, notifying the Board that a claim had been filed for alleged damages resulting from a fall in Jack London Village. It was recommended that the claim be denied. The recommendation was approved on passage of Resolution No. 23470.

American Container Service, Inc. was the subject of a letter to the Board from the Port Attorney, notifying the Board that the tenant has terminated its tenancy on a portion of the Grove Street Pier area and that a rental arrearage of $5,499.81 exists. It was recommended that the Port file an action to recover the rental owed. The recommendation was approved on passage of Resolution No. 23471.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Lange, Mortensen, Soda and President Walters - 6

Noes: None

Absent: Commissioner Gainor - 1

"RESOLUTION NO. 23464

RESOLUTION CERTIFYING REVIEW AND CONSIDERATION OF ENVIRONMENTAL DOCUMENTS FOR PROPOSED RUNWAY 11/29 OVERLAY PROJECT, MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH, AND ADOPTING CONSTRUCTION PROCEDURE FOR SAID OVERLAY PROJECT."

"RESOLUTION NO. 23465

RESOLUTION ACCEPTING GRANT OFFER OF THE UNITED STATES OF AMERICA AND AUTHORIZING EXECUTION OF GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION UNDER PROJECT NO. 6-06-0170-06, CONTRACT NO. DOT-FA76WE-3457."

"RESOLUTION NO. 23466

RESOLUTION AUTHORIZING EMPLOYMENT OF STRUCTURAL ENGINEERS."

"RESOLUTION NO. 23467

RESOLUTION PROVIDING SUPPORT OF OAKLAND OUTER HARBOR DEEP-DRAFT NAVIGATION IMPROVEMENTS."

"RESOLUTION NO. 23468

RESOLUTION CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 23469

RESOLUTION APPOINTING SHIRLEY A. MAC FARLANE TO THE POSITION OF LEGAL STENOGRAPHER."

"RESOLUTION NO. 23470

RESOLUTION REJECTING CLAIM OF HELLENE MITZEL."

"RESOLUTION NO. 23471

RESOLUTION AUTHORIZING FILING OF ACTION BY PORT ATTORNEY AGAINST AMERICAN CONTAINER SERVICE, INC."

"RESOLUTION NO. 23472

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH IGOR O. WEINERT."

"RESOLUTION NO. 23473

RESOLUTION AMENDING SIGN POLICY FOR THAT PORTION OF THE PORT AREA BETWEEN LAKE MERRITT CHANNEL AND DENNISON STREET."

"RESOLUTION NO. 23474

RESOLUTION GRANTING AMERICAN PRESIDENT LINES AND OTHERS PERMISSION TO PERFORM CERTAIN WORK."

Port Ordinance No. 2022 being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE WITH ARJAN H. SABNANI", and Port Ordinance No. 2026 being, "AN ORDINANCE AMENDING CERTAIN SECTIONS OF PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE PORT DEPARTMENT", were read a second time and finally adopted by the following vote:

Ayes: Commissioners Berkley, Connolly, Lange, Mortensen, Soda and President Walters - 6

Noes: None

Absent: Commissioner Gainor - 1

At the the hour of 2:25 p.m. the Board entered into executive session and reconvened in open session at the hour of 2:48 p.m.

On a motion duly made and seconded the meeting was adjourned at the hour of 2:50 p.m.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, October 6, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding, due written notice having been given members of the Board.

Commissioners present: Gainor, Lange, Mortensen and President Walters - 4

Commissioners absent: Berkley, Connolly and Soda - 3

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Chief Engineer; Assistant Chief Engineer; Director of Aviation; Airport Manager; Commercial Representative, North Field; Manager, Properties Department; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mrs. Marion Hixon, representing the Merchants' Association of Jack London Village; Mr. Clinton D. Ashby, representing Bayview Aviation; Mr. J. W. Barbour, representing Aircraft Service International and Mr. Darryl Dodd, representing Overseas National Airways.

Minutes of the regular meeting of September 15, 1976 and the adjourned regular meeting of September 29, 1976 were approved as submitted and ordered filed.

Mr. Albert C. Vieth, Airport Serviceman, received his ten-year service pin.

Mrs. Marion Hixon, representing Jack London Village Association, appeared before the Board to request that the Port support their appeal of Alameda County's possessory interest tax assessment on the village. President Walters asked that the staff review the particular situation with regard to the village, and forward the information to the Board.

Board of Port Commissioners Meeting
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AND ORDERED FILED

Adoption of Existing North Airport Building Standards and Restrictions Policy as Port Ordinance was the subject of memo to the Board from the Director of Airport Planning, notifying the Board of the policy and that it had been adopted by a motion to allow for flexibility in dealing with its enforcement. It was recommended that the Board now adopt the policy by ordinance, as it appears that no major changes will occur. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Change in Tenancies was the subject of a memo to the Board from the Director of Aviation, notifying the Board that Servair, a tenant providing aircraft ground handling, baggage and passenger service to charter flights has served notice to close operations. It was recommended that the vacated space be leased to Trans International Airlines, and that a new one-year license agreement be prepared for Travis Flight Service to provide the ground handling services for TIA at a sum equal to 10% of gross revenues from services rendered TIA or any other airline they may provide services for. The recommendation was approved on a motion by Commissioner Mortensen, seconded and passed unanimously.

License Agreement Renewal--Bay View Aviation was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their agreement for space in Building L-150 at a new total monthly rental of $2,961.30. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Amendment of Airport Dealer Contract--Shell Oil was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to amend their agreement to provide for a holdover provision on a month-to-month basis. The recommendation was approved on passage of Resolution No. 23475.

Specifications and Authority to Advertise for Bids for Two (2) Battery Powered Vehicles was the subject of a memo to the Board from the Manager, Purchasing Department, recommending approval and authority to advertise for bids for the vehicles which will provide transportation between the North Field Guest Terminal and aircraft. The recommendation was approved on passage of Resolution No. 23476.

Amendment to U. C. Express Lease was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to amend their lease to reflect the deletion of approximately 20,593 sf from the northwestern corner of the premises, and the addition of two portions of adjacent properties containing approximately 7,291 sf and 13,302 sf. This would provide the Port with adequate area to extend Petroleum Street. Also included in the amendment would be the addition of a car loading spot presently in the Sea-Land premises. U. C. Express would pay $100 a month for the substitute track, with the Port providing paving and fencing as required to enclose the premises. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Amendment to Sea-Land Truck and Rail Terminal Lease was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to amend the lease for the purpose of deleting 7,000 sf of land area, which includes a rail track. The rail track would then be available for use by the adjacent tenant, U. C. Express. Sea-Land would retain the right to receive rail car shipments over the track. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

New Lease--U. S. Customs was transmitted to the Board by letter from the Port Attorney, accompanied with a memo from the Manager, Properties Department, recommending approval of the 5-year lease, for approximately 1,130 sf of office space on the first floor

of the Port building, at a monthly rental of $658. The recommendation was approved on an ordinance passed to print.

Proposed Roadway Easement and Agreement--Western Pacific Railroad was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to acquire a roadway easement to allow for an access roadway to the container freight station for American President Lines. The Port will pay Western Pacific Railroad $51,653.88 for the easement area; construct the new roadway pavement and maintain the roadway. In the event Western Pacific has a trucking use of the roadway, the Port will be reimbursed for the use. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Approval of Subleases--Jack London Village was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for John E. Maghetti to add adjacent space to the Southeast Asian imports shop, and for Marion L. Hixon to operate a furniture, home and office furnishings shop. The recommendation was approved on passage of Resolution No. 23477 for the new lease and on Resolution No. 23478 for the amendment to the lease.

Sign Permit Application from the Oakland Village Corp. was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the placement of a 6 x 12 feet identification sign at the corner of Embarcadero and Alice Street. The estimated cost of the sign is $1,500. The project is categorically exempt, and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23494.

Building Permit Applications from the Oakland Village Corp. for Alterations to Sub-leased Premises in Jack London Village was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of certain interior improvements for two subtenants in the village. The total cost of the work is $4,700.00. The recommendation was approved on

Passage of Resolution No. 23479.

Assignment of Lease--Buttner was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to assign the lease on a 54,224 sf parcel on Oakport Street, from E. L. Buttner and H. M. Buttner to Edgar L. Buttner, Trustee of the Third Buttner Trust. The recommendation was approved on passage of Resolution No. 23480.

United Parcel Brokerage Commission to C. Robert Hubbard was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to provide payment of an additional brokerage commission in the amount of $5,194.16, in recognition of the added area to the United Parcel Service lease in the distribution center. The recommendation was approved on passage of Resolution No. 23481.

Change Order to Contract for Construction of Yard Improvements, Berths 2, 3 and 4, Outer Harbor Terminal, was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert recommending that the Chief Engineer be authorized to issue a change order to provide a railroad spur to the land side of the wharf and crane rails. The estimated cost of the work is $30,000.00 The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Approval to Demolish Building B-102, Outer Harbor was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending approval to demolish Building B-102 in the Outer Harbor. The estimated cost of the demolition is $2,000, and it was proposed to issue a purchase order for the work. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously, with an appropriate resolution to be prepared for the next meeting.

Plans and Specifications for Construction of Container Freight Station Building B-223, Middle Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer

J. L. Lambert, recommending their approval and authority to advertise for bids for the construction of a 36,000 sf building to be used as a container freight station by American President Lines. The environmental document on the project was previously certified by the Board. The recommendation was approved on passage of Resolution No. 23482.

Contract Completion, Construction of a Fire Service Cross Connection, Outer Harbor was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending the contract with V. N. Vukasin be accepted as complete as of July 4, 1976, at a contract price of $23,554.10. The recommendation was approved on passage of Resolution No. 23483.

City Line Road Agreement was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board of certain provisions in the settlement agreement with the City of Alameda and Harbor Bay Isle Association relating to City Line Road and that the annexation agreement covering City Line Road and the property to be transferred to the Port of Oakland and annexed to the City of Oakland is being drafted. It was recommended that an interim license and concession agreement be executed, giving the City of Alameda a possessory right to the property, in order for Alameda to apply for Economic Development Administration funds for the construction of a portion of City Line Road. Basic provisions of the agreement are: A term of one year or until a long-term agreement is executed; the agreement is effective only if EDA approves the grant application prior to December 1, 1976; the rental would be one dollar per year for approximately a 75-foot wide area running southerly from Doolittle Drive, 4,500 feet along the boundary line between Oakland and Alameda; Alameda will construct a two-lane road, pay for all improvements and relocate airport security fencing and gates and certain navigational aids; and the Port will participate in the subsequent maintenance costs, not to exceed 50%. Included in the recommendation was that certain environmental documents be reviewed and considered prior to approval of execution of the agreement. The recommendation was approved on passage of Resolution No. 23495.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Karen A. Knutson, as Intermediate Stenographer Clerk, effective September 20, 1976, at $835 per month; Lynn M. McGlynn, as Intermediate Stenographer Clerk, effective September 20, 1976, at $835 per month; Angela J. Mangold, as Relief Reservation Clerk, effective September 20, 1976, at $4.72 per hour; Carolyn S. Frazier, as Janitorial Helper (C.E.T.A.), effective September 30, 1976, at $802 per month; Calvin R. Jeffries, as Youth Aide, Class "B", effective October 7, 1976, at $3.58 per hour; George K. Chu and Howard P. Klein as Assistant Engineers, effective October 7, 1976, at $1568 per month. Also recommended was a salary decrease for Doyle Mears, Airport Serviceman, to salary schedule 43.1, at $1425 per month, as he is no longer performing crash/rescue duties. Further recommended was a salary increase for Bonnie Montano, Intermediate Typist Clerk, to salary schedule 22, $904 per month, in recognition of extra duties being performed. The recommendation was approved on passage of Resolution No. 23484 for appointments, Resolution No. 23485 for C.E.T.A. appointment and Resolution No. 23486 for salary adjustments.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of the Executive Director and the Port Attorney to Philadelphia, Pennsylvania, on or about October 17, 1976, to attend the American Association of Port Authorities Annual Meeting; the travel of President Walters, Commissioner Lange, The Executive Director and the Deputy Executive Director, to Tokyo and Hong Kong, on or about October 22, 1976, to call on shipping lines; the travel of the Manager, Marine Trade Development to Chicago, Illinois, Pittsburgh, Pennsylvania, and New York, New York, on or about October 11, 1976, for trade development purposes; the travel of the Senior Traffic Representative and Traffic Analyst to Chicago, Illinois, on or about October 11, 1976, for trade development purposes. The recommendation was approved on passage of Resolution No. 23487.

Sale of Furnishings and Equipment from Marco Polo Restaurant and Other Miscellaneous Items was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board of the sale results for certain surplus materials sold to the various high bidders. The information was noted and ordered filed.

Specifications and Authority to Advertise for Bids for a Hydraulic Power Unit was the subject of a memo to the Board from the Manager, Purchasing Department, recommending their approval and the authority to advertise for bids for the unit. The recommendation was approved on passage of Resolution No. 23488.

Amendment to U. S. Army--Assurance of Local Cooperation was the subject of memo to the Board from the Chief Engineer, recommending that the resolution providing for local cooperation be amended to add certain language concerning alterations to transportation facilities, without cost to the government, which has been requested by the Corps of Engineers. The Chief Engineer notified the Board that it was quite probable that when the channel is widened that additional protection would be required for the BART tube, which based on BART's original permit to construct the tube, would be their responsibility. To avoid any delay in the processing of the project report, it was recommended that the amendment be adopted. It was further noted that the final agreements relating to local cooperation would be presented at a later date. The recommendation was approved on passage of Resolution No. 23496.

The following written reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of October 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of September 28, 1976.

Summary of Claims Paid from Various Funds for the Period September 3, 1976 through September 23, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Gainor, Lange, Mortensen and President Walters - 4

Noes: None

Absent: Commissioners Berkley, Connolly and Soda - 3

"RESOLUTION NO. 23475

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT AGREEMENT WITH SHELL OIL COMPANY."

"RESOLUTION NO. 23476

RESOLUTION APPROVING SPECIFICATIONS FOR FURNISHING AND DELIVERING TWO BATTERY POWERED VEHICLES TO THE PORT OF OAKLAND, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23477

RESOLUTION CONSENTING TO SUBLEASE BY OAKLAND VILLAGE CORPORATION TO MARION L. HIXON."

"RESOLUTION NO. 23478

RESOLUTION CONSENTING TO AMENDMENT OF SUBLEASE BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23479

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23480

RESOLUTION CONSENTING TO ASSIGNMENT OF LEASE FROM E. L. BUTTNER AND H. M. BUTTNER TO EDGAR L. BUTTNER, AS TRUSTEE."

"RESOLUTION NO. 23481

RESOLUTION APPROVING AND AUTHORIZING PAYMENT OF ADDITIONAL REAL ESTATE BROKERAGE COMMISSION TO C. ROBERT HUBBARD."

"RESOLUTION NO. 23482

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF CONTAINER FREIGHT STATION BUILDING E-223, MIDDLE HARBOR TERMINAL, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23483

RESOLUTION ACCEPTING WORK PERFORMED BY V. N. VUKASIN AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23484

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23485

RESOLUTION RATIFYING APPOINTMENT OF CAROLYN S. FRAZIER TO THE POSITION OF JANITORIAL HELPER IN CONNECTION WITH PARTICIPATION IN THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973."

"RESOLUTION NO. 23486

RESOLUTION ASSIGNING EMPLOYEES AND FINDING THEM TO BE ENTITLED TO CERTAIN RATES WITHIN SALARY SCHEDULES FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23487

RESOLUTION AUTHORIZING CERTAIN TRAVEL."

"RESOLUTION NO. 23488

RESOLUTION APPROVING SPECIFICATIONS FOR FURNISHING AND DELIVERING A SINGLE TOOL HYDRAULIC POWER UNIT TO THE PORT OF OAKLAND, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23489

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23490

RESOLUTION AUTHORIZING EXECUTION OF LICENSE AND CONCESSION AGREEMENT WITH GORDON B. MILLS COMPANY."

"RESOLUTION NO. 23491

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT TO AGREEMENT ON ADDITIONAL IMPROVEMENTS WITH SEATRAIN TERMINALS OF CALIFORNIA, INC. AND AMERICAN PRESIDENT LINES, LTD."

"RESOLUTION NO. 23492

RESOLUTION GRANTING McDANIEL & SNEAD, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23493

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS.

"RESOLUTION NO. 23494

RESOLUTION GRANTING OAKLAND VILLAGE CORPORATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23495

RESOLUTION CERTIFYING REVIEW AND CONSIDERATION OF LEAD AGENCY'S ENVIRONMENTAL IMPACT REPORT, MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH, AND AUTHORIZING AND DIRECTING THE EXECUTION OF A LICENSE AND CONCESSION AGREEMENT WITH THE CITY OF ALAMEDA."

"RESOLUTION NO. 23496

RESOLUTION AMENDING RESOLUTION NO. 23467 PROVIDING SUPPORT OF OAKLAND OUTER HARBOR DEEP-DRAFT NAVIGATION IMPROVEMENTS."

Port Ordinance No. 2025 being, "AN ORDINANCE ADDING SECTIONS 8.143 and 9.102 TO PORT ORDINANCE NO. 867 CREATING ONE POSITION OF PORT ENVIRONMENTAL PLANNER ASSOCIATE AND TWO POSITIONS OF UTILITIES FOREMAN", was read a second time and finally adopted by the following vote.

Ayes: Commissioners Gainor, Lange, Mortensen and President Walters - 4

Noes: None

Absent: Commissioners Berkley, Connolly and Soda - 3

Port Ordinance No. _____ being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE WITH UNITED STATES OF AMERICA", and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTION 6.021 OF PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF DEPUTY PORT ATTORNEY II", were read the first time and passed to print by the following vote:

Ayes: Commissioners Gainor, Lange, Mortensen and President Walters - 4

Noes: None

Absent: Commissioners Berkley, Connolly and Soda - 3

At the hour of 3:17 p.m. the Board entered into executive session and reconvened in open session at the hour of 3:35 p.m., at which time the meeting was adjourned until 12:30 p.m., October 7, 1976, in Conference Room B, 66 Jack London Square.

* *

The meeting was reconvened on October 7, 1976, at the hour of 12:30 p.m. in the Conference B, 66 Jack London Square, President Walters presiding.

Commissioners present: Connolly, Gainor, Lange, Mortensen, Soda and President Walters - 6

Commissioners absent: Berkley - 1

Also present was the Secretary of the Board.

At the hour of 12:31 p.m. the Board entered into executive session and reconvened in open session at the hour of 1:45 p.m., at which time the meeting was adjourned until Wednesday, October 13, 1976, at the hour of 2:00 p.m. in the office of the Board.

* *

The meeting scheduled for October 13, 1976, at the hour of 2:00 p.m. in the office of the Board was adjourned by the Secretary of the Board due to the absence of all the members of the Board to the hour of 2:30 p.m., October 13, 1976 in Conference Room B, 66 Jack London Square.

* *

The meeting was reconvened at the hour of 2:30 p.m. in Conference Room B, 66 Jack London Square, President Walters presiding.

Commissioners present: Berkley, Mortensen, Soda and President Walters - 4

Commissioners absent: Connolly, Gainor and Lange - 3

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Chief Engineer; Port Staff Analysis; Director of Airport Planning; Director of Aviation; Airport Manager; Public Relations Director; and Secretary of the Board.

Termination of Tenancy--Alameda Yacht Harbor was the subject of a memo to the Board from Manager, Properties Department, notifying the Board that Alameda Yacht Harbor will not accept the terms and conditions of a proposed license agreement to allow for them to operate the water areas of the Oakland Marina. It was recommended that the holdover provision be terminated and that future negotiations be discontinued. It was noted that an interim

operation of the Marina will be provided for until the area is redeveloped under the DNOD Phase II program. The recommendation was approved on a motion by Commissioner Mortensen, seconded and passed unanimously.

The Board discussed various aspects of the Airport expansion program recently released from a court injunction prohibiting construction. Commissioner Soda moved that negotiations take place with the producer of the two plane-mate vehicles to provide delayed delivery of the units until approximately July of 1977 and the Board is to be advised of the results of these negotiations. The motion was seconded and passed unanimously.

The following resolutions were introduced and passed separately by the following vote:

Ayes:	Commissioners Berkley, Mortensen, Soda and President Walters - 4
Noes:	None
Absent:	Commissioners Connolly, Gainor and Lange - 3

"RESOLUTION NO. 23497

RESOLUTION APPOINTING JAMES E. ALLEN, JR. TO THE POSITION OF DEPUTY PORT ATTORNEY II."

"RESOLUTION NO. 23498

RESOLUTION AUTHORIZING DEMOLITION OF PORT BUILDING B-102."

"RESOLUTION NO. 23499

RESOLUTION AMENDING RESOLUTION NO. 23487 AUTHORIZING CERTAIN TRAVEL."

"RESOLUTION NO. 23500

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT WITH THE CITY OF OAKLAND PROVIDING FOR A SUMMER PROGRAM FOR ECONOMICALLY DISADVANTAGED YOUTH."

At the hour of 2:35 p.m. on a motion duly made and seconded the meeting was adjourned.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on October 20, 1976, at the hour of 2:17 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding, due written notice having been given members of the Board.

Commissioners present: Berkley, Connolly, Gainor, Lange, Mortensen, Soda and President Walters - 7

Commissioners absent: None

Also present were the Deputy Executive Director; Assistant to the Executive Director; Deputy Port Attorneys Thomas D. Clark and Joe D. Colbath; Chief Engineer; Assistant Chief Engineer; Manager, Properties Department; Commercial Representative; Airport Manager; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Attorney Charles J. Leighton, representing Mardeco; Mr. Dean Anderson and Attorney Arthur Park, Jr., representing Alameda Yacht Harbor; Mr. Tim Nesbitt and Mrs. Alice Brown, observing the meeting; and Mr. Jens Hansen, representing Continental Services Company.

Minutes of the regular meeting of October 6, 1976; adjourned regular meeting of October 7, 1976; and adjourned regular meeting of October 13, 1976 were approved as submitted and ordered filed.

Mr. Dean Anderson appeared before the Board to request that the Board reconsider the termination of his tenancy at the Oakland Marina. It was noted that the area is to be redeveloped and it was desirable for the area to be in direct control by the Port. Mr. Anderson expressed concern as to the inconvenience that the berthers would experience if he was forced to vacate. After

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brief discussion, the Board informed Mr. Anderson that the termination would stand and that staff has been given authority to negotiate to minimize certain inconveniences that would occur upon termination of his tenancy.

Appeal Under Variance Procedures of the Port of Oakland Airport Business Park Standards and Restrictions Continental Service Company for Bank of America was the subject of a memo to the Board from the Port Environmental Planner, notifying the Board that an appeal has been received from Continental Service Co., requesting that they be allowed to construct a canopy structure and queuing lanes to allow for drive-in banking services at 303 Hegenberger Road. It was noted that the Executive Director has denied the application as it would be an excessive encroachment in the setback area. Mr. Jens Hansen, the architect for the project, presented plans for various schemes to provide the drive-in banking service. After considerable discussion, a motion by Commissioner Soda to allow for a modified canopy and queuing lanes, failed to pass on the following vote: Ayes - Commissioners Lange, Mortensen and Soda - 3; Noes - Commissioners Berkley, Gainor and President Walters - 3; Abstained - Commissioner Connolly - 1. A further motion by Commissioner Gainor to sustain the Executive Director's decision, also failed to pass on the following vote: Ayes - Commissioners Berkley and Gainor - 2; Noes - Commissioners Lange, Mortensen, Soda and President Walters - 4; Abstained - Commissioner Connolly - 1. After further discussion and with the concurrence of Mr. Hansen, a motion by Commissioner Soda to refer the item to staff for further review and for the Board to reconsider the appeal on November 3, 1976, was passed on the following vote: Ayes - Commissioners Berkley, Lange, Mortensen, Soda and President Walters - 5; Noes - Commissioner Gainor - 1; Abstained - Commissioner Connolly - 1.

Assignment of Sublease in Yellow Cab Air Cargo Building was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Duty Free Shoppers to assign a portion of their space in the Yellow Cab Air Cargo Building to Overseas National Airways. The recommendation was approved on passage of Resolution No. 23501.

License Agreement Renewal--Crocker National Bank was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their agreement for shop and office space in Building L-310 for their corporate aircraft base at a new monthly rental of $1,651.20. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Interior Alterations, F.A.A. Teletype Shop Port Building L-142 was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the construction of an interior wall with door to enclose their teletype shop. The estimated cost of the work is $684.00. The project is categorically exempt and an environmental impact report or negative declaration is not required. The recommendation was approved on passage of Resolution No. 23502.

Commissioner Gainor moved that all building permits under $5,000 be approved by the Executive Director and ratified by the Board at a later date. The motion was seconded and passed unanimously. It was noted that the subject matter would be researched as to its possible conflicts with the City Charter.

License Agreement Renewal--Tower Avionics Center was the subject of a memo to the Board from the Manager, Properties Department, recommending that the Board fix rental rates for hangar, shop and office space that Tower Avionics Center occupies as a holdover tenant in Building L-810 for use in their electronic service and

repair business and to determine that if Tower Avionics Center does not execute a new written agreement its tenancy be terminated. The recommendation was approved on a passage of Resolution No. 23524, fixing the monthly rental at $2,098.41 commencing November 1, 1976, and declaring Tower Avionics Center's tenancy terminated effective December 1, 1976, in the event it does not execute a new written license and concession agreement.

Contract Completion Alterations to Building L-606 General Aviation Terminal was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending the contract with Maintenance and Construction Systems be extended without liquidated damages through October 12, 1976 and the contract be accepted as complete as of that date with a contract price of $58,517.11. The recommendation was approved on passage of Resolution No. 23503 for time extension and Resolution No. 23504 for accepting contract.

Steak Dock Lease was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that a request has been submitted to assign the lease to Mr. James B. Wong, for the operation of a Polynesian restaurant. The principle changes in the agreement would include a minimum monthly rental of $1,000 with three-year rental reviews of that minimum beginning January 1, 1982, in accordance with the percentage changes in the Consumer Price Index and the percentage rental would be 7% of gross receipts beginning January 1, 1987. After discussion, Commissioner Soda moved that in addition the adjusted rental should not be less than the minimum rental governing for the immediate period preceeding the rental review. The motion was seconded and passed unanimously.

Third Supplemental Agreement--Mardeco Lease was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that Mardeco has requested certain changes in their lease to provide additional protection to the lending agency

providing assistance for the proposed expansion of the Mast Restaurant. It was noted that the previously approved amendment to provide for a Mardeco-developed permanent walkway through the area has been deleted as the problem will be discussed when any redevelopment occurs. The recommendation was approved on a motion by Commissioner Soda, seconded and passed unanimously, with the appropriate documents to be before the Board at the next Board meeting.

At the hour of 4:10 p.m. Commissioner Mortensen was excused from the meeting.

Contract Completion Revisions to Parking Lots 5 and 7 Jack London Square was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the contract with Neil Shooter Co. be extended without liquidated damages through August 26, 1976 and the contract be accepted as of that date with a contract price of $69,749.30. The recommendation was approved on passage of Resolution No. 23505 for time extension and Resolution No. 23506 for contract completion.

Modification to Sea-Land Crane No. 240 was the subject of a memo to the Board from the Assistant Chief Engineer, recommending approval for Sea-Land Service, Inc., to extend the legs on Crane No. 240, to increase the clearance under the spreader to allow for more efficient handling of four-high stacked containers on the SL-7 class vessels. The work will be done by Rigging International and is estimated to cost $300,000. The project is categorically exempt and an environmental impact report and a negative declaration are not required. The recommendation was approved on passage of Resolution No. 23507.

Application to Perform Maintenance Dredging in Oakland Inner Harbor, The Learner Company was the subject of a memo to the Board from the Port Environmental Planner, notifying the Board that an application has been submitted to perform certain maintenance

dredging in the Estuary. It was recommended that the required public hearing be set for 2:00 p.m., Wednesday, November 3, 1976. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Plans and Specifications for Demolition of Petroleum Processing Plant, Pier and Ferry Streets was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the removal of several buildings, piping, storage tanks, and miscellaneous structures and facilities. The Environmental Impact Report for the area has been previously considered by the Board. The recommendation was approved on passage of Resolution No. 23508.

Plans and Specifications for Redredging of Berths at Outer Harbor and Seventh Street Terminals was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the redredging of Berths 2 through 9 at Outer Harbor Terminal and Berths F through J at Seventh Street Terminal. The project was categorically exempt and an environmental impact report and a negative declaration are not required. The recommendation was approved on passage of Resolution No. 23521.

Port of Oakland Municipal Warehouse Tariff No. 1 was the subject of a memo to the Board from the Traffic Manager and Manager, Marine Terminals, recommending approval to amend the Port's Tariff by increasing certain car loading and unloading rates reflecting increase labor costs. The recommendation was approved on an ordinance passed to print.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of Karapet Sedrakian, Senior Mechanical and Electrical Engineer, to Tampa, Florida, on or about October 27, 1976, to attend the Annual Aviation

Lighting Conference of the Illuminating Engineering Society. The recommendation was approved on passage of Resolution No. 23520.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Michelle Vital, as Stenographer Clerk, effective October 12, 1976, at $702 per month; Felicia Ruff, as Youth Aide, Class "B", effective October 14, 1976, at $3.58 per hour; and Lorraine Li, as Intermediate Typist Clerk, effective October 21, 1976, at $777 per month. Also recommended was the termination of employment for Jimmie E. Griffin, C.E.T.A. Construction Aide. The recommendation was approved on passage of Resolution No. 23509 for appointments and Resolution No. 23510 for termination.

Participation in Contra Costa County Vehicle Auction was the subject of a memo to the Board from the Manager, Purchasing Department, recommending approval to dispose of eight surplus vehicles at the Contra Costa County public auction. The recommendation was approved on passage of Resolution No. 23511.

Certificate of Completion Eleven (11) Radio Transceivers was the subject of a memo to the Board from the Manager, Purchasing Department, recommending that the contract with General Communications Engineering be accepted as complete as of September 17, 1976. The recommendation was approved on passage of Resolution No. 23512.

Proposed Agreements Between the City of Oakland and the Port of Oakland for CETA II and CETA VI Program was the subject of a memo to the Board from the Port Equal Opportunity Employment Officer, recommending that the agreements with the City of Oakland for the Port's participation in the CETA II and CETA VI program be ratified. The recommendation was approved on passage of Resolution No. 23513.

Compromise and Settlement of Claim Against Neil Shooter Co. was the subject of a letter to the Board from the Port Attorney,

notifying the Board of the claim against the company for damages to replace a Port transit. It was recommended that the Board accept a compromising settlement in the sum of $400 on the claim. The recommendation was approved on passage of Resolution No. 23514.

The following written reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of October 12, 1976.

Summary of Cash and Accounts Receivable Port Revenue Fund #801 for the Month of October 19, 1976.

Accounts Receivable 35 Days or More in Arrears as of October 19, 1976.

Accounts Receivable - Referred to Port Attorney as of October 19, 1976.

Accounts Receivable - Other Departments as of October 19, 1976.

Summary of Claims Paid from Various Funds for the Period September 17, 1976 through October 12, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Soda and President Walters - 6

Noes: None

Absent: Commissioner Mortensen - 1

"RESOLUTION NO. 23501

RESOLUTION CONSENTING TO ASSIGNMENT OF PORTION OF SUBLEASED AREA IN AIR CARGO TERMINAL."

"RESOLUTION NO. 23502

RESOLUTION GRANTING THE FEDERAL AVIATION ADMINISTRATION PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23503

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH MAINTENANCE AND CONSTRUCTION SYSTEMS."

"RESOLUTION NO. 23504

RESOLUTION ACCEPTING WORK PERFORMED BY MAINTENANCE AND CONSTRUCTION SYSTEMS AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23505

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH NEIL SHOOTER CO."

"RESOLUTION NO. 23506

RESOLUTION ACCEPTING WORK PERFORMED BY NEIL SHOOTER CO., AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23507

RESOLUTION GRANTING APPROVAL TO SEA-LAND SERVICE, INC. TO MAKE IMPROVEMENTS TO CONTAINERSHIP CRANE NO. 240."

"RESOLUTION NO. 23508

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR DEMOLITION OF PETROLEUM PROCESSING PLANT AT PIER AND FERRY STREETS, OUTER HARBOR TERMINAL, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23509

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23510

RESOLUTION TERMINATING APPOINTMENT OF JIMMIE GRIFFIN TO THE POSITION OF CONSTRUCTION AIDE."

"RESOLUTION NO. 23511

RESOLUTION AUTHORIZING SALE OF SURPLUS PERSONAL PROPERTY AT PUBLIC AUCTION."

"RESOLUTION NO. 23512

RESOLUTION ACCEPTING WORK PERFORMED BY GENERAL COMMUNICATION ENGINEERING."

"RESOLUTION NO. 23513

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH THE CITY OF OAKLAND."

"RESOLUTION NO. 23514

RESOLUTION AUTHORIZING COMPROMISE AND SETTLEMENT OF CLAIM OF NEIL SHOOTER CO."

"RESOLUTION NO. 23515

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23516

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23517

RESOLUTION RATIFYING MEMORANDUM OF UNDERSTANDING WITH OAKLAND MUNICIPAL CIVIL SERVICE EMPLOYEES ASSOCIATION."

"RESOLUTION NO. 23518

RESOLUTION RATIFYING MEMORANDUM OF UNDERSTANDING WITH WESTERN COUNCIL OF ENGINEERS."

"RESOLUTION NO. 23519

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH AEROSPACE SERVICES, INC. AND DIRECTING RECORDATION THEREOF."

"RESOLUTION NO. 23520

RESOLUTION AUTHORIZING CERTAIN TRAVEL."

"RESOLUTION NO. 23521

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR REDREDGING OF BERTHS AT OUTER HARBOR TERMINAL AND SEVENTH STREET TERMINAL AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23522

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23523

RESOLUTION ON THE PASSING OF JOHN B. WILLIAMS."

"RESOLUTION NO. 23524

RESOLUTION FIXING RENTAL FOR CERTAIN PORT PROPERTY."

Port Ordinance No. 2027 being, "AN ORDINANCE AMENDING SECTION 6.021 OF PORT ORDINANCE NO. 867 FIXING THE COMPENSATION OF DEPUTY PORT ATTORNEY II", and Port Ordinance No. 2028 being, "AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE WITH UNITED STATES OF AMERICA", were read a second time and finally adopted

by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Soda and President Walters - 6

Noes: None

Absent: Commissioner Mortensen - 1

Port Ordinance No. _____ being, "AN ORDINANCE AMENDING PORT ORDINANCE NO. 1858 RELATING TO SPECIAL SERVICES-RATES, CHARGES, RULES AND REGULATIONS IN WAREHOUSE FACILITIES", and Port Ordinance No. _____ being, "AN ORDINANCE ESTABLISHING STANDARDS AND RESTRICTIONS FOR THE USE OF LAND AND FOR THE DESIGN AND CONSTRUCTION OF BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS AT THE PORT OF OAKLAND NORTH AIRPORT - METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Soda and President Walters - 6

Noes: None

Absent: Commissioner Mortensen - 1

At the hour of 4:15 p.m. the Board entered into executive session with the Port Attorney on legal matters and reconvened in open session at the hour of 4:30 p.m., at which time the meeting was adjourned until 12:00 p.m., Wednesday, October 27, 1976.

* *

The meeting was reconvened on Wednesday, October 27, 1976, at the hour of 12:14 p.m. in the office of the Board, Second Vice President Gainor presiding.

Commissioners present: Berkley, Connolly, Mortensen and Second Vice President Gainor - 4

Commissioners absent: Lange, Soda and President Walters - 3

Also present were the Assistant to the Executive Director; Port Attorney; Deputy Port Attorney Thomas Clark; Chief Engineer; Manager, Properties Department; and Secretary of the Board.

Visitors attending the meeting included Attorney Charles J. Leighton, Jr., representing Mardeco, Inc.

Mardeco Lease--Third Supplemental Agreement and Loan Approvals was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for the Third Supplemental Agreement to their lease which provides additional protection for lending agencies, provisions for an interim walkway through the property and grants permission for a minor encroachment of the Mast restaurant into the mall area. Also recommended was the assignment of the restaurant sublease from Clyde R. Gibb to Thunderbird Properties, Inc. and approval of loans from Bank of America and Wells Fargo Bank. The assignment of the restaurant sublease to Thunderbird Properties, Inc. was approved on passage of Resolution No. 23525, the assignment of Thunderbird Properties, Inc.'s sublease and of Mardeco's lease as security for the loans was approved on passage of Resolution No. 23526 and the Third Supplemental Agreement was approved by passage of Resolution No. 23527.

Donation of Property Rights--Diesel Street was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the owners of the property on the northerly side of Diesel Street have offered to donate the property rights in the northerly half of Diesel Street to the Port, in order to be relieved of the City requirement to improve that half of the street as a condition of a proposed subdivision of the adjacent property. It was recommended the Board approve in principle accepting the property rights and all access rights on the northerly half of Diesel Street. The result would give the Port complete control over the street, and provide greater flexibility in the future development of the property. The recommendation was approved on a motion by Commissioner Mortensen, seconded and passed unanimously.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Mortensen and Second Vice President Gainor - 4

Noes: None

Absent: Commissioners Lange, Soda and President Walters - 3

"RESOLUTION NO. 23525

RESOLUTION CONSENTING TO ASSIGNMENT OF SUBLEASE BY CLYDE R. GIBB TO THUNDERBIRD PROPERTIES."

"RESOLUTION NO. 23526

RESOLUTION CONSENTING TO ASSIGNMENT OF SUBLEASE BY THUNDERBIRD PROPERTIES AND TO ASSIGNMENT OF LEASE BY MARDECO, INC."

"RESOLUTION NO. 23527

RESOLUTION AUTHORIZING EXECUTION OF THIRD SUPPLEMENTAL AGREEMENT WITH MARDECO, INC., AND DIRECTING RECORDATION THEREOF."

At the hour of 2:16 p.m. on a motion duly made and seconded the meeting was adjourned.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on November 3, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding, due written notice having been given members of the Board.

Commissioners present: Gainor, Lange, Mortensen and President Walters - 4

Commissioners absent: Berkley, Connolly and Soda - 3

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Deputy Port Attorneys Thomas D. Clark and James E. Allen, Jr.; Chief Engineer; Assistant Chief Engineer; Manager, Properties Department; Properties Representative John Ablan; Airport Manager; Commercial Representative, North Field; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. Ernest Bridgewater, representing The Learner Company; Mr. Jack Solomon, representing Oakland Yacht Club; Mr. Jens Hansen, representing Continental Service Company; and Mr. Tim Nesbitt, representing Oakland Study Center.

At the hour of 2:08 p.m. the Board held a public hearing on the Application of the Learner Company to Perform Maintenance Dredging and Place New Pilings at their location on the Estuary. The project consists of the removal of 900 cubic yards of silted materials and the replacement of six old pilings. The estimated cost of the work is $5,000. There was no testimony in opposition to the project, the report of the Executive Director was received, and the hearing was closed at the hour of 2:09 p.m. The application was approved on passage of Resolution No. 23544.

Board of Port Commissioners Meeting Action

DEC 1 1976

Notes Secretary Winifred C. Marshall

APPROVED AS SUBMITTED AND ORDERED FILED

At the hour of 2:15 p.m. Commissioner Soda joined the meeting.

License Agreement Renewal--Oakland Yacht Club was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the Club is experiencing a loss of berthers due to the problems associated with the redevelopment of the area and that the time table for the project was not complete. It was recommended that their license agreement be renewed with a 30-day mutual cancellation clause at a rental of $250 per month plus 19% of the gross receipts from berthing. The recommendation was approved on a motion by Commissioner Soda, seconded and passed unanimously. It was noted the Club would be given 60-days notice to vacate in early 1977 and that expected redevelopment work would commence in March 1977.

Appeal Under Variance Procedures of the Port of Oakland Airport Business Park Standards and Restrictions - Continental Service Company for Bank of America, a continued item, was the subject of a memo to the Board from the Port Environmental Planner, recommending that the proposed drive-in banking operation be denied as the operation would not conform to the standards and restrictions for the park. Mr. Jens Hansen appeared before the Board to present the appeal of the Bank of America. After discussion, Commissioner Soda moved that the operation be approved if the through lane was replaced by landscaping, subject to approval by the Fire Marshal; a smaller canopy was used; and in the event of traffic back up on Hegenberger Road the Bank would provide immediate alterations. Included in the motion was direction to the Port Attorney to prepare proper findings concerning the variance. The motion was approved on the following vote: Ayes - Commissioners Lange, Mortensen, Soda and President Walters - 4; Noes - Commissioner Gainor - 1; Absent - Commissioners Berkley and Connolly - 2.

Ninety-Nines, Inc. - Waiver of Tie-Down Fees was the subject of a memo to the Board from the Director of Aviation, notifying the Board that the Ninety-Nines, Inc. an international organization of women pilots, is holding their annual convention in San Francisco in August 1977, and it was recommended that the Board waive tie-down fees for approximately 100 aircraft that could be accommodated at the North Field. The recommendation was approved on passage of Resolution No. 23528.

Award of Contract for Partial Raising of Building L-130, Metropolitan Oakland International Airport was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the six bids received and recommending that the contract be awarded to L. G. Bremier, Inc., the low bidder at $9,980.00. The recommendation was approved on passage of Resolution No. 23529.

Specifications and Authority to Advertise for Bids to Furnish and Deliver "Airport Lighting Equipment" was the subject of a memo to the Board from the Manager, Purchasing Department, recommending their approval and authority to advertise for bids for the equipment. The environmental documents have been previously considered by the Board. The recommendation was approved on passage of Resolution No. 23543.

Sign Permit Application Aerospace Services, Inc. (Port Bldg. L-621) was the subject of a memo to the Board from the Port Environmental Planner, recommending approval for the placement of a sign facing Doolittle Drive to read "Western Airmotive Marine," "Sales and Service." The estimated cost of the project is $1,380. The project is categorically exempted and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23530.

Specifications and Authority to Advertise for Bids for Printing, Folding and Delivering the Port of Oakland Flight

Selector was the subject of a memo to the Board from the Manager, Purchasing Department, recommending their approval and authority to advertise for bids for the annual contract. The recommendation was approved on passage of Resolution No. 23531.

Sale of Surplus Crash Rescue Vehicles was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board that the two vehicles were sold to Alameda Auto Wreckers for a total of $1,050. The information was noted and ordered filed.

Approval of Agreement--Mardeco was the subject of a memo to the Board from the Manager, Properties Department, recommending approval of a license agreement from Mardeco to John M. Nibley and Murl F. Kelley to operate the Spice Box store on the Webster Street Pier. The recommendation was approved on passage of Resolution No. 23532.

Approval for Matson Terminals to Handle Vessel was the subject of a memo to the Board from the Executive Director, notifying the Board that Pacific Far East Line has requested that Matson Terminals handle one of their vessels on a one-time basis at Seventh Street. It is recommended that the Board approve of the request and receive 50% of the terminal charges for the use of the facility. The recommendation was approved on passage of Resolution No. 23533.

Award of Contract for Construction of Addition to Office Building C-534 was the subject of a memo to the Board from the Assistant Chief Engineer, notifying the Board of the five bids received and that there was an irregularity in the apparent low bidder's bid. As the apparent low bidder acted in good faith and the second low bidder was not interested in pursuing the contract, it was recommended that the Board determine that it is in the best interest of the Port to reject all bids and authorize the Executive Director to negotiate a contract with the Carl R. Banke Company to

perform the work at a cost not to exceed $47,110. The recommendation was approved on passage of Resolution No. 23534 rejecting all bids and Resolution No. 23535 finding it in the best interest to negotiate the contract.

Plans and Specifications for Construction of Wharf Track and Storage Track, Berth 4, Outer Harbor was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the construction of the tracks to serve Berth 4. The recommendation was approved on passage of Resolution No. 23536.

Award of Contract for Construction of Office Building C-320 & Storage Shed C-321 was the subject of a memo to the Board from the Assistant Chief Engineer. The item was held over until the adjourned regular meeting of the Board to be held on Monday, November 8, 1976.

Non-Airport Primary Comprehensive General Liability Insurance was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the $1,000,000 primary comprehensive general liability insurance was placed with Zurich Insurance Company for a period of one-year with a retrospective-rated premium. Zurich Insurance Company has proposed to extend the existing policy through July 31, 1979 with the losses averaged over a three-year period; which would provide a minimum premium of $127,377 and a maximum premium of $203,927, with the probability of reduced premiums if market conditions should change. It was recommended that the proposal from Zurich Insurance Company be accepted. The recommendation was approved on a motion by Commissioner Mortensen, seconded and passed unanimously.

Suggestion Plan Award was the subject of a memo to the Board from the Executive Director, notifying the Board that Semi-skilled Laborer Lawrence Harbison had submitted a suggestion which produced a substantial savings to the Port in terms of man hours.

It was recommended that he be awarded $300 in recognition of the beneficial suggestion. The recommendation was approved on passage of Resolution No. 23537.

At the hour of 3:10 p.m. Commissioner Mortensen was excused from the meeting.

Fifth Layer of General Liability Insurance was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the different levels of comprehensive general liability insurance and the recent quotes received for the fifth layer of coverage. It was recommended that the fifth layer of airport coverage be placed with the U. S. Aviation Insurance Group at a total annual premium cost of $8,500 and the fifth layer of Port area coverage in the amount of $10,000,000 be placed with Northbrook Insurance Company at an unknown premium until the full $10,000,000 of coverage with a specific premium can be negotiated. It was noted that only $6,500,000 was covered with the remaining insurance to be obtained. The recommendation was approved on a motion by Commissioner Soda, seconded and passed unanimously.

Specifications and Authority to Advertise for Bids for Printing and Delivering the Progress News-Notes was the subject of memo to the Board from the Manager, Purchasing Department, recommending their approval and authority to advertise for bids on the annual contract. The recommendation was approved on a passage of Resolution No. 23538.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommending the appointment of Angie L. Zigenis, an Intermediate Typist Clerk, effective October 18, 1976, at $777 per month; Lorry L. Fleming, as Intermediate Typist Clerk, effective October 27, 1976, at $777 per month; Dolores M. Spainhower and Ann C. Panella, as Reservation Clerks, effective November 4, 1976, at $816 per month. Also recommended

was a salary increase for Airport Serviceman Stanley F. Kopacz to rate "f" of salary schedule 43.1 in recognition of extra duties being performed. The recommendation was approved on passage of Resolution No. 23539 for salary increases and Resolution No. 23540 for appointments.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of the Traffic Manager & Manager, Marine Terminal Department to Houston, Texas on or about October 26, 1976, to attend a conference sponsored by the Containerization Institute, Inc.; and travel of the Senior Traffic Representative and Traffic Analyst to Seattle, Washington, on or about November 17, 1976, to attend the Annual Meeting of The National Industrial Traffic League. The recommendation was approved on passage of Resolution No. 23541.

The following written reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of November 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of October 26, 1976.

Summary of Claims Paid from Various Funds for the Period October 4, 1976 through October 20, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Gainor, Lange, Soda and President Walters - 4

Noes: None

Absent: Commissioners Berkley, Connolly and Mortensen - 3

"RESOLUTION NO. 23528

RESOLUTION AUTHORIZING LIMITED WAIVER OF TIE-DOWN FEES FOR GENERAL AVIATION AIRCRAFT."

"RESOLUTION NO. 23529

RESOLUTION AWARDING CONTRACT TO L. G. BREMIER, INC. FOR PARTIAL RAISING OF BUILDING L-130, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23530

RESOLUTION GRANTING AEROSPACE SERVICES, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23531

RESOLUTION APPROVING SPECIFICATIONS FOR PRINTING, FOLDING AND DELIVERING THE PORT OF OAKLAND FLIGHT SELECTOR FOR THE PERIOD COMMENCING JANUARY 16, 1977 AND ENDING JANUARY 15, 1978, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23532

RESOLUTION CONSENTING TO LICENSE AGREEMENT BETWEEN MARDECO, INC. AND JOHN M. NIBLEY AND MURL F. KELLEY."

"RESOLUTION NO. 23533

RESOLUTION APPROVING USE OF PREMISES LEASED TO MATSON TERMINALS, INC. BY PACIFIC FAR EAST LINE."

"RESOLUTION NO. 23534

RESOLUTION REJECTING BIDS FOR CONSTRUCTION OF ADDITION TO OFFICE BUILDING C-534, SEVENTH STREET TERMINAL, AND DIRECTING RETURN OF BID BONDS AND CASHIER'S CHECK."

"RESOLUTION NO. 23535

RESOLUTION FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PERFORM CERTAIN WORK WITHOUT COMPETITIVE BIDDING, AUTHORIZING THE PERFORMANCE THEREOF AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH. (CONSTRUCTION OF ADDITION TO OFFICE BUILDING C-534, SEVENTH STREET TERMINAL)."

"RESOLUTION NO. 23536

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF WHARF TRACK AND STORAGE TRACK, BERTH 4, OUTER HARBOR TERMINAL, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23537

RESOLUTION AWARDING THE SUM OF $300.00 TO LAWRENCE HARBISON, SEMISKILLED LABORER, UNDER THE PORT OF OAKLAND EMPLOYEES SUGGESTION PLAN."

"RESOLUTION NO. 23538

RESOLUTION APPROVING SPECIFICATIONS FOR PRINTING AND DELIVERING THE PORT OF OAKLAND PROGRESS NEWS-NOTES FOR THE PERIOD COMMENCING JANUARY 1, 1977 AND ENDING DECEMBER 31, 1977, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23539

RESOLUTION ASSIGNING STANLEY F. KOPACZ, AIRPORT SERVICEMAN, TO SCHEDULE 43.1, RATE "F", AS FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23540

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23541

RESOLUTION CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 23542

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23543

RESOLUTION APPROVING SPECIFICATIONS TO FURNISH AND DELIVER AIRPORT LIGHTING EQUIPMENT, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT (AIRPORT DEVELOPMENT AID PROGRAM 6-06-0170-06), AND CALLING FOR BIDS THEREFOR."

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Gainor, Lange, Mortensen and President Walters - 4

Noes: None

Absent: Commissioners Berkley, Connolly and Soda - 3

"RESOLUTION NO. 23544

RESOLUTION GRANTING PERMIT TO THE LEARNER CO. TO PERFORM MAINTENANCE DREDGING AND REPLACE PILES IN THE OAKLAND ESTUARY."

Port Ordinance No. 2023 being, "AN ORDINANCE AUTHORIZING EXECUTION OF FIFTH SUPPLEMENTAL AGREEMENT WITH MATSON TERMINALS, INC.," and Port Ordinance No. 2029 being, "AN ORDINANCE AMENDING

PORT ORDINANCE NO. 1858 RELATING TO SPECIAL SERVICES-RATES, CHARGES, RULES AND REGULATIONS IN WAREHOUSE FACILITIES," and Port Ordinance No. 2030 being, "AN ORDINANCE ESTABLISHING STANDARDS AND RESTRICTIONS FOR THE USE OF LAND AND FOR THE DESIGN AND CONSTRUCTION OF BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS AT THE PORT OF OAKLAND NORTH AIRPORT - METROPOLITAN OAKLAND INTERNATIONAL AIRPORT," were read a second time and finally adopted by the following vote:

Ayes: Commissioners Gainor, Lange, Soda and President Walters - 4

Noes: None

Absent: Commissioners Berkley, Connolly and Mortensen - 3

At the hour of 3:12 p.m. the Board entered into executive session on legal matters and reconvened in open session at the hour of 3:50 p.m., at which time the meeting was adjourned until 12:00 noon Monday, November 8, 1976. It was also noted that the Board would meet on Wednesday, November 10, 1976 at the hour of 2:00 p.m.

* *

The meeting was reconvened on Monday, November 8, 1976, at the hour of 12:20 p.m., in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding.

Commissioners present: Berkley, Gainor, Mortensen and President Walters - 4

Commissioners absent: Connolly, Lange and Soda - 3

Also present were the Executive Director; Deputy Executive Director; Port Attorney; Chief Engineer; Manager, Properties Department; and Assistant Secretary of the Board Dorothy M. Hart.

Award of Contract for Construction of Office Building C-320 and Storage Shed C-321, Berth 4, Outer Harbor Terminal, a

continued item, was the subject of a memo to the Board from the Assistant Chief Engineer, notifying the Board of the six bids received on the project, and that the apparent low bidder had contacted the Port asking to be relieved of his responsibility because of a material error in his bid. It was recommended that the contract be awarded to the second low bidder, S.P.V. Construction, Inc., in the amount of $264,266. The recommendation was approved on passage of Resolution No. 23545.

The following resolution was introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Mortensen and President Walters - 4

Noes: None

Absent: Commissioners Connolly, Lange and Soda - 3

"RESOLUTION NO. 23545

RESOLUTION AWARDING CONTRACT TO S.P.V. CONSTRUCTION, INC. FOR CONSTRUCTION OF OFFICE BUILDING C-320 & STORAGE SHED C-321, BERTH 4, OUTER HARBOR TERMINAL; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS AND CASHIER'S CHECK TO BIDDERS."

There being no further business the meeting was adjourned to 2:00 p.m., Wednesday, November 10, 1976.

* *

The meeting was reconvened on Wednesday, November 10, 1976, at the hour of 2:10 p.m., in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding.

Commissioners present: Berkley, Gainor, Lange, Mortensen, Soda and President Walters - 6

Commissioners absent: Commissioner Connolly - 1

Also present were the Executive Director; Deputy Executive Director; Port Attorney; Public Relations Director; Assistant to the Executive Director; and Assistant Secretary of the Board.

At the hour of 2:10 p.m., the Board entered into executive session with the Port Attorney and reconvened in open session at the hour of 3:27 p.m.

President Walters asked for a motion on the X-rated District zoning proposed by the City Planning Commission. Commissioner Lange moved that a letter be directed to the City Council advising that the Board of Port Commissioners was opposed to the idea of having any X-rated activities in the area zoned for that purpose below the Nimitz Freeway. The motion was seconded and passed unanimously.

The item of the contract with Arnold, Palmer & Noble was presented for discussion. The discussion covered the contents of the survey proposed to be completed by this firm, the scheduling of the remaining work to be done, and whether or not the contract should be terminated immediately.

Following discussion a motion was made by Commissioner Soda that Arnold, Palmer & Noble be instructed not to proceed with the survey, that the work on the report be completed and submitted to the Board, and that the Public Relations Director be instructed to terminate the firm when the report is completed. The motion was seconded and passed unanimously.

Commissioner Mortensen then asked that a study be made concerning a future policy of the Board to retain Oakland firms wherever possible, and that the Public Relations Director be asked to investigate appropriate firms to handle the Port's publicity and advertising programs.

At the hour of 4:00 p.m., the meeting was adjourned on a motion duly made and seconded.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, November 17, 1976, at the hour of 2:00 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding, due written notice having been given to members of the Board.

Commissioners present: Berkley, Connolly, Gainor, Lange, Mortensen, Soda and President Walters - 7

Commissioners absent: None

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Chief Engineer; Port Staff Analyst; Director, Fiscal Affairs; Airport Manager; Commercial Representative, North Field; Manager, Air Traffic Development Department; Commercial Representative; Properties Representatives Evelyn Johnson and Robert O'Malley; Director of Public Relations; and Secretary of the Board.

Visitors attending the meeting included Mr. Wayne Bruce, representing East Bay Discharges Authority; Mr. Scott Benton, representing Dobbs Houses, Inc.; Mr. L. A. Soletti, representing World Airways; Mr. Carl Soderblom, representing Trans International Airlines; Mr. Robert Baxter, representing Pacific Southwest Airlines; Mr. Lee Camphouse, representing United Air Lines; and Mr. Tim Nesbitt, representing Oakland Study Center.

The minutes of the regular meeting of October 20, 1976; and the adjourned regular meeting of October 27, 1976, were approved as submitted and ordered filed.

Conceptual Approval of EBDA Southern Outfall was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the East Bay Dischargers Authority has adopted a route

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for its inteceptor and outfall pipeline which places the line south of the Oakland Airport, along the San Leandro Marina Channel, and then in a northwesterly direction until it terminates at a diffuser in the deeper waters in the San Francisco Bay. It was noted that the original alignment of the pipeline ran through the Airport. It was recommended that the Board certify, review and consider the Environmental Impact Statement and conceptually approve the southern outfall route of the proposal. Also recommended was authority to proceed with negotiations and details for the easement agreement and Port permits for the project. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously with an appropriate resolution to be before the Board at a later meeting.

Dobbs House was the subject of a memo to the Board from the Director of Aviation, notifying the Board that Dobbs has requested certain changes in the operating hours of the second floor dining room and cocktail lounge. Mr. Scott Benton, General Manager of the facility, appeared before the Board to summarize the results of their customer survey. President Walters asked that the Board take no action on the request and asked that Dobbs provide comments on recent shopping deficiencies, their proposed solution on the problems, and possible mutual efforts on promoting the facility. It was noted that the item would be discussed at a meeting to be held on December 1, 1976.

Adjustment of Rates and Charges at Metropolitan Oakland International Airport was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board of the present one-year license agreements for airlines occupying space at the South Terminal and that it was desirable to prepare new one-year license agreements, as the new improvements for the South Terminal will not be available prior to that period. It was explained that

the twelve month agreement period would end on October 30, 1977 but it was recommended that the airlines be allowed to hold over for two months at the same rates so future agreement periods would be on a calendar year basis. It was recommended that the Board adopt the following annual space rental rates per square foot; for ticket counters, $17.86; airline offices in ticketing building, Hold Rooms, Office area in Equipment Building M-104, $16.08; and Airline Baggage Make-up areas in ticketing building, $12.50. Also recommended was the establishment of a $0.38 a pound fee for landing fees to apply until December 31, 1977. Mr. Lee Camphouse of United Airlines and Mr. Bob Baxter of Pacific Southwest Airlines appeared before the Board to request that the rates and charges not be excessively raised and that the term be extended to eighteen months. After discussion, the recommendation of the Deputy Executive Director was approved on a motion by Commissioner Mortensen, seconded and passed unanimously, and on passage of an ordinance to print, establishing charges for the use of facilities at the Airport.

FAA Lease for RVR Equipment was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the Federal Aviation Administration operates two Runway Visual Range equipment sites, each consisting of approximately 400 square feet and that it is necessary to relocate one of the sites. It was recommended that the Board approve a lease to the FAA for the sites which provides for no rental and is renewable by the FAA from year to year, up until 1996. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23560.

New Lease--Federal Express was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Federal Express Corporation to relocate to Air Cargo

Building M-106 from their present location in Building M-112. The basic terms of the new agreement would be a term of three years with one three-year option; the initial rental to be $2,909 per month with a review period at the option date; and Federal Express would meet the current affirmative action requirements of the Federal Economic Development Administration which financed the building. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Proposed T-Hangar Development North Airport was the subject of a memo from the Director of Airport Planning, notifying the Board that the Aviation Committee has reviewed a plan for the installation of approximately thirty new T-hangar aircraft storage spaces at the North Airport. The total program includes the painting of three of the oldest T-hangar buildings and providing certain new equipment; increasing the rental rates for the existing T-hangars by approximately 22.4%; and the purchase of the portable units as the actual demand occurs. The expected rates for the new units would be $80 per month for the smaller units and $110 per month for the larger unit. It was recommended the Board approve the plan, authorize the preparation of an environmental impact report; and authorize the Commercial Representative of North Field to notify the affected tenants of the proposed plan. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Supplement to License Agreement--Trans International Airlines was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for Trans International Airlines to add Building L-526 to their agreement at an additional $193.90 per month rental. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

License Agreement Renewal--Air Carrier Service Associates was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their agreement for space in Building L-711 with adjacent land area for their aircraft parts and supplies business at a new total monthly rental of $1,138.16. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

License Agreement Renewal--Mike Quinn was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their agreement for space in Buildings L-645 and L-727 with adjacent land area for use in their electronic parts business at a new total monthly rental of $821.76. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Approval of Office Space Agreement--Califoria Air Charter was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for an office space agreement between California Air Charter and Spartan Aero Club which allows the flying club to rent half of Building L-210 at a monthly rental of $100 per month. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Oakland Marina License Agreements was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that new license agreements have been negotiated with six of the present subtenants. It was recommended that the Board approve the following agreements: for Catalina Marine, a retail and wholesale dealer in marine engines and parts, occupying space in Building P-108 and P-109 with adjacent land area, a total minimum rental of $450 per month against 5% of the retail sales; the Gang-Plank, a small restaurant occupying space in Building P-108 a total minimum rental of $200 per month against 7% of gross sales;

Christopher Corlett dba Zig Zag Marine Repair Service, a sailboat rigging and repair business, occupying space in Building P-109, a total monthly rental of $160; Jane Burke dba Burke Canvas Company, manufacturer of boat covers, occupying space in Building P-109, a total monthly rental of $125; Syleem Shogen/Zen Ray dba April Boat Works, a small boat repair business, occupying space in Building P-109, a total monthly rental of $100; and George Willet dba Willet Marine Transmission Repair, a rebuilder of marine transmissions, occupying space in Building P-109, a total monthly rental of $100 per month. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Donation of Property Rights--Diesel Street was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the offer of donation of property rights to the Port for half of Diesel Street which would allow for the Port to have total control of the street, and that there exists one lessee's access rights on the easterly 183 feet of the street. It was recommended that the Board approve in principle accepting the conveyance of property rights, subject to a reservation of access rights to one adjacent lessee under the terms of its present lease, but not to extend beyond September 30, 1984. The recommendation was approved on a motion by Commissioner Connolly, seconded and passed unanimously.

License Agreement Renewal--Jal-Vue Window Corporation was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their agreement for space in Building H-101 and H-109, with adjacent yard area at Sixth Avenue and Embarcadero for their glass importing and distribution business for a new total monthly rental of $2,180.50. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

License Agreement Renewal--Silveira was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their agreement for 125,012 sf of water area at the foot of Fifth Avenue used as a marina, at a total monthly rental of $1,500 per month. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Amendment to Preferential Assignment Agreement With Four Japanese Shipping Lines was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board of the clause in the agreement requiring the construction of Petroleum Street. The Board was advised of changes in conditions occurring after the contract was signed which support the position of the Japanese Lines that they should not bear the full expense of this item. As the construction of the street would benefit the Port and other Outer Harbor tenants, it was recommended that the agreement be amended to revise the cost sharing formula whereby the Japanese Lines would pay only one-third of the cost of the improvements. The recommendation was approved on a motion by Commissioner Soda, seconded and passed unanimously.

Extension of CFS Lease Agreement with Two Japanese Shipping Lines was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board that Mitsui-OSK Line and Yamashita-Shinnihon Line occupy a container freight station adjacent to Berth G with the lease term ending on December 31, 1976. During recent negotiations the Lines asked that they be able to remain in the facility for an additional three-year period. It was recommended that the lease be extended to December 31, 1979, at $107,000 for the first year and $109,000 for the last two years. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Subcontractors for Construction of Office Building C-320 and Storage Shed C-321, Berth 4 was the subject of a memo to the

Board from the Assistant Chief Engineer, notifying the Board of certain clerical errors and an omission on the List of Subcontractors submitted by S.P.V. Construction Company, the low bidder. It was recommended that the Board approve the corrected list of subcontractors. It was noted that the correction does not constitute a substitution of the subcontractors under the Government Code. The recommendation was approved on passage of Resolution No. 23546.

Change Order to Contract for Yard Improvements, Berths 2, 3 and 4 was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending approval to issue a change order to Freeman-Sondgroth Construction Co. to make certain changes to accommodate the rail spur track recently requested by the Four Japanese Lines. The approximate cost of the work is $61,476.45. The recommendation was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Bids for Redredging of Berths at Outer Harbor and Seventh Street Terminals was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board that the expected permit for the Corps of Engineers would be delayed until mid-January, 1977 and that the expected receipt of bids on November 18 for the project would not be awardable as the bids lapse after thirty days. It was recommended that the Board cancel the receipt of bids on November 18, 1976 for the redredging and find it in the best interest of the Port to dispense with normal bidding procedures and provide for the redredging of Berths 2 and 3 in the Outer Harbor on the open market. It was noted that the work can be accomplished on an amended permit from the Corps of Engineers. The recommendation was approved on a motion by Commissioner Berkley, seconded and passed unanimously and on passage of Resolution No. 23562, cancelling receipt of bids.

Port of Oakland Rental Rates - Container Cranes was the subject of a memo to the Board from the Traffic Manager and Manager Marine Terminal, recommending approval to establish the rental maintenance, power and utility rates for the container cranes at the Outer Harbor Terminal area. The rental rate for each crane will be $275.00 per hour. The maintenance, power and utilities charge for the Four Japanese Lines crane will be $40.00 per hour and for the crane at the Public Container Terminal, $60.00 per hour. The recommendation was approved on passage of an ordinance to print.

Increase in Rates - Kaiser Health Plan was the subject of a memo to the Board from the Port Employee Relations Officer, notifying the Board that the Kaiser Foundation Health Plan has increased their rates with the basic individual rate to $27.22. It was recommended that the Board approve an amendment to the contract between Kaiser and the Port to provide for the increased rates effective January 1, 1977. The recommendation was approved on passage of Resolution No. 23547.

Adoption of Final Budget for the Fiscal Year Ending June 30, 1977 was the subject of a memo to the Board from the Director, Fiscal Affairs, recommending that the Board adopt the final budget for the year ending June 30, 1977, which now reflects certain salary increases, corrects errors and recent revisions approved by the Board. The recommendation was approved on passage of Resolution No. 23548.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Nenita M. Enrile, as Intermediate Typist Clerk, effective October 29, 1976, at $777 per month; Roderick Blanchette and Melkisedik Samoy, as Building Maintenance Engineers, effective November 18, 1976, at $1300 per month; and Adolfo L. Munoz, as Port Traffic Representative, effective November 18, 1976, at

$1475 per month. Also recommended was a military leave of absence for Charles Boyd, Port Environmental Planner for ten working days. Further recommended was the creation of one position of "Senior Drafting Technician" and authority to hire one Senior Engineer to be filled by promotion. The recommendation was approved on passage of Resolution No. 23549 for appointments, Resolution No. 23561 for leave of absence and on an ordinance passed to print for creation of position and on a motion by Commissioner Lange, seconded and passed unanimously for authority to hire.

Sale of Surplus Vehicles was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board of the results of the sale of eight surplus vehicles at a recent auction. The information was noted and ordered filed.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the ratification of travel of the Director of Aviation to Washington D. C., and New York, New York, on or about November 14, 1976 to attend a meeting of the American Association of Airport Executives and for business development calls; the travel of the Senior Traffic Representative and Traffic Analyst to Seattle, Washington, on or about November 17, 1976 to attend the annual meeting of The National Industrial Traffic League; and the travel of Senior Engineer Paul H. Sorensen to Denver, Colorado, on or about December 3, 1976 to attend a meeting of the American Society of Civil Engineers. The recommendation was approved on passage of Resolution No. 23550.

Specifications for Annual Contracts for Repairs to Docks and Railroad Tracks was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids. The recommendation was approved on passage of Resolution No. 23551 for the railroad work and on passage of Resolution No. 23552 for pile driver and repair of docks.

Public Utilities Commission Applications for Air Service Between Metropolitan Oakland International Airport and San Francisco International Airport was the subject of a letter to the Board from the Port Attorney, notifying the Board that several applications have been filed with the Public Utilities Commission for authority to operate service between Metropolitan Oakland International Airport and San Francisco International Airport and that a hearing has been set before a Public Utilities Commission Examiner on November 23, 1976. Attached to the letter was a proposed statement to be introduced at the hearing which basically asks the Commission to deny all applications. A motion by Commissioner Mortensen to support the position was seconded and passed unanimously.

At the hour of 3:15 p.m. the Board entered into executive session on legal matters and reconvened in open session at the hour of 3:48 p.m.

The Commercial Representative informed the Board that inquiries have been made concerning the 31 acre site opposite the Coliseum, presently reserved for commercial development with a Coliseum/Freeway use and that it appeared a policy change would be appropriate. After discussion, Commissioner Connolly moved that the Board eliminate the Coliseum/Freeway oriented use policy, continue the policy that the land be leased, developed for commercial use, that the new policy be widely distributed and that the Board would consider any proposals. The motion was seconded and passed unanimously.

Commissioner Connolly moved that a second appraisal on the Howard Terminal property be obtained from Floyd D. Clevinger, which appraisal would be before the Board by January 31, 1977. After discussion, the motion was seconded and passed on the following vote: Ayes - Commissioners Berkley, Connolly, Lange, Gainor and President Walters - 5; Noes - Commissioners Mortensen and Soda - 2.

The following written reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of November 8, 1976.

Summary of Cash and Accounts Receivable Port Revenue Fund #801 for the Month of October, 1976.

Accounts Receivable 35 Days or More in Arrears as of November 10, 1976.

Accounts Receivable Referred to Port Attorney as of November 10, 1976.

Accounts Receivable Other Departments as of November 10, 1976.

Summary of Claims Paid from Various Funds for the Period October 20, 1976 through November 5, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Mortensen, Soda and President Walters - 7

Noes: None

Absent: None

"RESOLUTION NO. 23546

RESOLUTION RELATING TO SUBCONTRACTORS OF S. P. V. CONSTRUCTION, INC. ON CONTRACT FOR CONSTRUCTION OF OFFICE BUILDING C-320 & STORAGE SHED C-321, BERTH 4, OUTER HARBOR TERMINAL."

"RESOLUTION NO. 23547

RESOLUTION AUTHORIZING EXECUTION OF GROUP MEDICAL AND HOSPITAL SERVICE AGREEMENT AMENDMENTS AND ADDITIONAL PROVISIONS WITH KAISER FOUNDATION HEALTH PLAN, INC."

"RESOLUTION NO. 23548

RESOLUTION AMENDING RESOLUTION NO. 23315 APPROPRIATING CERTAIN MONEYS TO PROVIDE FOR THE EXPENDITURES PROPOSED TO BE MADE BY THE ESTIMATED BUDGET OF THE PORT OF OAKLAND FOR THE FISCAL YEAR 1976-1977."

"RESOLUTION NO. 23549

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23550

RESOLUTION CONCERNING CERTAIN TRAVEL."

"RESOLUTION NO. 23551

RESOLUTION APPROVING SPECIFICATIONS FOR FURNISHING LABOR, MATERIALS, AND EQUIPMENT FOR RECONDITIONING, REPAIRING, AND CONSTRUCTING PORT OF OAKLAND RAILROAD AND CRANE TRACKS FOR THE PERIOD COMMENCING FEBRUARY 1, 1977 AND ENDING JANUARY 31, 1978, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23552

RESOLUTION APPROVING SPECIFICATIONS FOR FURNISHING PILE DRIVER CREW FOR REPAIRS TO PORT OF OAKLAND DOCKS AND WATERFRONT FACILITIES FOR THE PERIOD COMMENCING FEBRUARY 1, 1977 AND ENDING JANUARY 31, 1978, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23553

RESOLUTION APPROVING BONDS OF L. G. BREMIER, INC."

"RESOLUTION NO. 23554

RESOLUTION APPROVING BONDS OF CARL R. BANKE GENERAL CONTRACTOR."

"RESOLUTION NO. 23555

RESOLUTION APPROVING BONDS OF S. P. V. CONSTRUCTION, INC."

"RESOLUTION NO. 23556

RESOLUTION GRANTING LIMITED AUTHORITY TO PORT ATTORNEY TO COMPROMISE AND SETTLE WORKERS' COMPENSATION PROCEEDINGS."

"RESOLUTION NO. 23557

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23358

RESOLUTION GRANTING APPEAL OF CONTINENTAL SERVICE COMPANY FROM DENIAL OF APPLICATION FOR VARIANCE GRANTING VARIANCE SUBJECT TO CONDITIONS, AND MAKING CERTAIN FINDINGS AND CONCLUSIONS IN CONNECTION THEREWITH."

"RESOLUTION NO. 23559

RESOLUTION AUTHORIZING FILING OF ACTION BY PORT ATTORNEY AGAINST SOUTH BAY BOX COMPANY AND VILLA DE LAGO CORPORATION."

"RESOLUTION NO. 23560

RESOLUTION AUTHORIZING EXECUTION OF LEASE WITH THE UNITED STATES OF AMERICA."

"RESOLUTION NO. 23561

RESOLUTION GRANTING MILITARY LEAVE OF ABSENCE TO CHARLES A. BOYD, PORT ENVIRONMENTAL PLANNER."

"RESOLUTION NO. 23562

RESOLUTION REJECTING BIDS FOR REDREDGING OF BERTHS AT OUTER HARBOR TERMINAL AND SEVENTH STREET TERMINAL AND DIRECTING THE RETURN THEREOF UNOPENED."

Port Ordinance No. _____ being, "AN ORDINANCE ADDING ITEMS NOS. 2698 AND 2698-A TO PORT ORDINANCE NO. 964 RELATING TO CONTAINER CRANE ASSIGNMENTS AND RENTAL RATES," and Port Ordinance No. _____ being "AN ORDINANCE ADDING SECTION 8.0611 TO PORT ORDINANCE NO. 867 CREATING ONE POSITION OF SENIOR DRAFTING TECHNICIAN," and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTIONS 2, 3 AND 10.3 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT," were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Mortensen, Soda and President Walters - 7

Noes: None

Absent: None

At the hour of 3:55 p.m. the meeting was adjourned on a motion duly made and seconded.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, December 1, 1976, at the hour of 2:17 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding, due written notice having been given to members of the Board.

Commissioners present: Berkley, Gainor, Mortensen, Soda and President Walters - 5

Commissioners absent: Connolly and Lange - 2

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Deputy Port Attorney Joe Colbath; Chief Engineer; Director of Aviation; Airport Manager; Director, Fiscal Affairs; Manager, Properties Department; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. Scott Benton, representing Dobbs Houses; Mr. Walter D. Goggin, representing East Bay Municipal Utility District; and Ms. Shelley Brenner, representing Oakland Study Center.

The minutes of the regular meeting of November 3, 1976; the adjourned regular meeting of November 8, 1976; and the adjourned regular meeting of November 10, 1976 were approved as submitted and ordered filed.

Option Agreement for Water Line Easement and Water Service Agreement was the subject of a memo to the Board from the Chief Engineer, notifying the Board that the East Bay Municipal Utility District was now preparing to construct a water line to service the Airport and the City of Alameda. The District has applied for special Federal funds for the construction, and it was recommended that the Board authorize an option agreement

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which would enable them to proceed with the application for funds. Basic provisions of the option agreement include: Payment to the Port the sum of $44,000 for the easement; the water line will be available to the Airport without payment of a front-foot charge; the District will provide two additional metering stations and will extend a 16-inch line for the future South Airport construction; the District will receive a non-exclusive easement for constructing, repairing, replacing, and operating a water line; No limitation is to be put on wheel loads for any aircraft or vehicular crossings; the District must relocate the pipeline if the initial location ever interferes with Airport Operations. The option agreement is for a one-year period which may be renewed for an additional year. Also recommended was the review and consideration of the Environmental Impact Report as prepared by the District. The recommendation was approved on passage of Resolution No. 23584 for review of the environmental document, and Resolution No. 23585, executing the option agreement.

Plans and Specifications for Construction of Overlays of Runway 11-29 and Portions of Taxiways 4, 6 and 7 was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the asphalt concrete overlays and related electrical work. It was noted that liquidated damages specified in the documents ranged from $100 per calendar day to $5,000 per calendar day for the critical time when the runway will be closed. The Board has previously certified the Environmental Document on the project. The recommendation was approved on passage of Resolution No. 23582.

Program for Improved Air Carrier Service was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board of the efforts to be made to improve the air service

at the Airport, and that this effort will require the services of special legal counsel and transportation consultants. It was recommended that the Board retain as special counsel the Washington law firm of Zuckert, Scoutt & Rasenberger, and retain the firm of Beauvais, Roberts & Kurth as transportation consultants. It was noted that the program will require concentrated efforts for the next two years, with expenditures for the next fiscal year at about $80,000 to $105,000, with an additional $50,000 required the following fiscal year. During discussions with the proposed consultants it was discovered that certain petitions before the Civil Aeronautics Board would be harmful to the Port's interest, and to meet a procedural deadline answers were filed formally opposing Delta's and Continental's application for route realignments. It was recommended that the Board ratify this action. The recommendations were approved on passage of Resolution No. 23580 for appointment of special legal counsel, Resolution No. 23563 opposing Delta Airlines' application, and Resolution No. 23564, opposing Continental's application. The appointment of special transportation consultants was approved on a motion by Commissioner Gainor, seconded and passed unanimously.

Dobbs Houses was the subject of a memo to the Board from the Director of Aviation, notifying the Board of Dobbs Houses' request to curtail their hours of operation in the second floor lounge and dining room. Mr. Scott Benton appeared before the Board, stating that the reduction in operating hours was necessary as they were operating too many facilities for the number of customers at the Airport. After considerable discussion, dealing with uses of the second floor restaurant facility, Commissioner Mortensen moved that the item be tabled until January 19, 1977, during which time joint meetings would be held concerning advertising and promotion and possible change of use for the facility. The motion was seconded and passed unanimously.

FAA Lease for ILS Equipment was the subject of a memo to the Board from the Manager, Properties Department, recommending approval of the year-to-year agreement with the Federal Aviation Administration for a 1.41 acre site at the easterly end of Runway 11/29 for the installation of Instrument Landing System equipment. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23565.

The Deputy Executive Director notified the Board that the City Council had received a mailgram concerning the policy of the City with regard to helicopter service to replace the service of SFO Helicopters. Commissioner Soda moved that the City be advised of the Board's position to oppose any application for renewed helicopter service, which policy was adopted at the November 17, 1976 meeting. The motion was seconded and passed unanimously.

Amendment to Jack London Village Sublease was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to amend the sublease between Oakland Village Corporation and Raymond F. and Charlene Kayo to make certain changes in the option clause. The recommendation was approved on passage of Resolution No. 23566.

Extension of Time for Closing of 14th Street was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for the temporary closing of 14th Street and a portion of 34th Street for a period of four years from May 1, 1976, as requested by the Federal Government and Southern Pacific Railroad. It was noted that the closing has been in effect since 1944 and that the Port has always opposed the permanent closing of the street. The recommendation was approved on passage of Resolution No. 23567.

Award of Contract for Demolition of Petroleum Processing Plant at Pier and Ferry Streets, Outer Harbor was the subject of

a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the ten bids received and recommending award of the contract to Arons Building Wrecking Co., the low bidder at $12,700. The recommendation was approved on passage of Resolution No. 23568.

Plans and Specifications for Construction of Warehouse and Storage Building E-224, Middle Harbor Terminal was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids for the construction of the building for use by American President Lines. The Environmental Document for the project was previously certified by the Board. The recommendation was approved on passage of Resolution No. 23583.

Rental Rates - Container Cranes at Outer Harbor Terminal was the subject of a memo to the Board from the Traffic Manager and Manager, Marine Terminals, recommending approval to increase the maintenance, power and utilities charges for the Japanese Lines' cranes from $40.00 to $60.00 per hour. The recommendation was approved on an ordinance passed to print.

Fifth Layer of Comprehensive General Liability Insurance was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that full replacement on nonairport coverage in the amount of $10,000,000 has been obtained from the Northbrook Insurance Company at an annual premium of $11,500. The information was noted and ordered filed.

Creation of One Position of Community Information Representative was the subject of a memo to the Board from the Deputy Executive Director, recommending approval of the creation of one position of Community Information Representative who will be assigned responsibilities in the presentation of Port policies and programs to the general public and various community and civic

groups. It was noted that after the creation of the position the City Council would be requested to exempt the position from Civil Service rules. The recommendation was approved on an ordinance passed to print.

Contract Completion - Repairs to Dock and Waterfront Facilities was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the annual contract with Jensen and Reynolds Construction Company for the dock work be accepted as complete as of October 31, 1976. The recommendation was approved on passage of Resolution No. 23569.

Contract Completion - Reconditioning, Repairing, and Constructing Railroad and Crane Tracks was the subject of a memo to the Board from Port Supervising Engineer Roy A. Clark, recommending that the annual contract with A. D. Schader Company, for railroad work, be accepted as complete as of October 31, 1976. The recommendation was approved on passage of Resolution No. 23570.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Maceo H. Bell, as Youth Aide, effective November 22, 1976, at $3.58 per hour; Stephany L. Stepp, as Youth Aide, effective November 23, 1976, at $3.58 per hour; Molly Fagan, as Youth Aide, effective November 23, 1976, at $3.58 per hour; Isabel R. Rodriguez, as Stenographer Clerk, effective December 2, 1976, at $702 per month; Patricia Saito, Senior Secretary, effective December 13, 1976, at $969 per month. Also recommended was a leave of absence for Kazuko Sekimachi, for two calendar months for medical reasons. Further recommended was a salary ordinance amendment for Airport Business Assistant to establish salary schedule 58.5 for the position. Additionally recommended was the creation of one position of Junior Environmental Planner, one position of Associate Programmer, and the reclassifying of one position of Intermediate Stenographer Clerk to the position of Senior Secretary. The recommendations were

approved on passage of Resolution No. 23571 for leave of absence, Resolution No. 23572 for appointments and on an ordinance passed to print for salary amendment and creation of positions.

Appointment of Legal Stenographer was the subject of a letter to the Board from the Port Attorney, recommending the appointment of Mrs. LaVerne A. Juarez to the position of Legal Stenographer. It was also recommended she be granted a leave of absence to correspond with a previous vacation commitment during the Christmas week. The recommendation was approved on passage of Resolution No. 23573 for appointment and Resolution No. 23574 granting leave of absence.

Agreements Nos. 9718-3 and 9731-5, Federal Maritime Commission Docket No. 75-30 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the history of the case and that the Federal Maritime Commission, on appeal, unanimously approved the agreements by which the six Japanese Lines operate. The information was noted and ordered filed.

Marine Terminal Practices of the Port of Seattle - Possible Violation of Section 17, Shipping Act, 1916; Federal Maritime Commission Docket No. 70-50 was the subject of letter to the Board from the Port Attorney, notifying the Board of the case and that a prehearing conference on the matter has been set for January 5, 1977. It was recommended that the Port Attorney be authorized to attend and participate in the conference. The recommendation was approved on passage of Resolution No. 23578.

Claim of Harriet L. Waggener was the subject of a letter to the Board from the Port Attorney, notifying the Board of a claim received for alleged damages resulting from the operation of a coin-operated entrance mechanism to Port parking. A review of the incident indicates no liability on behalf of the Port, and it was recommended that the claim be denied. The recommendation was approved on passage of Resolution No. 23579.

Increase in Contribution toward Health Plan Insurance was the subject of a letter to the Board from the Port Attorney, recommending approval to increase the maximum Port contribution for the medical insurance to $70 per month per employee as provided for in the various memoranda of understanding. The recommendation was approved on passage of an ordinance to print.

The Board discussed the policy for processing of documents, which discussion had previously been the subject of a work session. Commissioner Soda moved that the recommended procedures for the processing of documents as outlined in a memorandum dated August 25, 1976, from the Deputy Executive Director be adopted as applies to leases and license agreements only, with the exception that the Properties Department also be authorized to handle the excution of leases. Also contained in the motion was provision for a staff review of the procedure with the Board on March 1, 1977, for the consideration of the effectiveness and possible use by other departments of the new policy. The recommendation was seconded and passed unanimously.

The following reports were noted and ordered filed:

Report of Port Attorney on Pending Matters.

Status of Contracts in Progress as of December 1, 1976.

Summary of Cash - Port Revenue and Construction Accounts as of November 19, 1976.

Summary of Claims Paid from Various Funds for the Period November 3, 1976 through November 19, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Gainor, Mortensen, Soda and President Walters - 5

Noes: None

Absent: Commissioners Connolly and Lange - 2

"RESOLUTION NO. 23563

RESOLUTION RATIFYING FILING OF ANSWER IN OPPOSITION TO APPLICATION FOR ROUTE REALIGNMENT OF DELTA AIR LINES."

"RESOLUTION NO. 23564

RESOLUTION RATIFYING FILING OF ANSWER IN OPPOSITION TO APPLICATION FOR ROUTE REALIGNMENT OF CONTINENTAL AIR LINES."

"RESOLUTION NO. 23565

RESOLUTION AUTHORIZING EXECUTION OF LEASE WITH THE UNITED STATES OF AMERICA."

"RESOLUTION NO. 23566

RESOLUTION CONSENTING TO AMENDMENT OF SUBLEASE BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23567

RESOLUTION RELATING TO THE TEMPORARY CLOSING OF PORTION OF 14TH STREET."

"RESOLUTION NO. 23568

RESOLUTION AWARDING CONTRACT TO ARONS BUILDING WRECKING CO. FOR DEMOLITION OF PETROLEUM PROCESSING PLANT AT PIER AND FERRY STREETS, OUTER HARBOR TERMINAL; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS AND CASHIER'S CHECK TO BIDDERS."

"RESOLUTION NO. 23569

RESOLUTION ACCEPTING WORK PERFORMED BY JENSEN AND REYNOLD CONSTRUCTION CO. AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23570

RESOLUTION ACCEPTING WORK PERFORMED BY A. D. SCHADER COMPANY AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION."

"RESOLUTION NO. 23571

RESOLUTION GRANTING LEAVE OF ABSENCE TO KAZUKO SEKIMACHI, INTERMEDIATE TYPIST CLERK."

"RESOLUTION NO. 23572

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23573

RESOLUTION APPOINTING LaVERNE C. JUAREZ TO THE POSITION OF LEGAL STENOGRAPHER."

"RESOLUTION NO. 23574

RESOLUTION GRANTING LEAVE OF ABSENCE TO LaVERNE C. JUAREZ, LEGAL STENOGRAPHER."

"RESOLUTION NO. 23575

RESOLUTION GRANTING PERMISSION TO CALIFORNIA AIR CHARTER TO SUBLET PREMISES, SUBJECT TO CONDITIONS."

"RESOLUTION NO. 23576

RESOLUTION CERTIFYING REVIEW AND CONSIDERATION OF FINAL ENVIRONMENTAL IMPACT STATEMENT AND GRANTING CONCEPTUAL APPROVAL TO EAST BAY DISCHARGERS AUTHORITY'S PROPOSED SOUTHERN OUTFALL."

"RESOLUTION NO. 23577

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH JAPAN LINE, LTD., KAWASAKI KISEN KAISHA, LTD., MITSUIT O.S.K. LINES, LTD. AND YAMASHITA-SHINNIHON STEAMSHIP CO."

"RESOLUTION NO. 23578

RESOLUTION AUTHORIZING ATTENDANCE OF THE PORT ATTORNEY AT PREHEARING CONFERENCE BEFORE THE FEDERAL MARITIME COMMISSION."

"RESOLUTION NO. 23579

RESOLUTION REJECTING CLAIM OF HARRIET L. WAGGENER."

"RESOLUTION NO. 23580

RESOLUTION APPOINTING AND EMPLOYING SPECIAL COUNSEL."

"RESOLUTION NO. 23581

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23582

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF ASPHALT CONCRETE OVERLAYS OF RUNWAY 11-29, PORTIONS OF TAXIWAYS 4, 6 AND 7, AND RELATED ELECTRICAL WORK, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23583

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF WAREHOUSE AND STORAGE BUILDING E-224, MIDDLE HARBOR TERMINAL, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23584

RESOLUTION CERTIFYING REVIEW AND CONSIDERATION OF ENVIRONMENTAL IMPACT REPORT."

"RESOLUTION NO. 23585

RESOLUTION AUTHORIZING EXECUTION OF OPTION AGREEMENT WITH EAST BAY MUNICIPAL UTILITY DISTRICT."

Port Ordinance No. _____ being, "AN ORDINANCE ADDING ITEMS NOS. 2698 AND 2698-A TO PORT ORDINANCE NO. 964 RELATING TO CONTAINER CRANE ASSIGNMENTS AND RENTAL RATES," and Port Ordinance No. _____ being, "AN ORDINANCE ADDING SECTION 8.0611 TO PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT," and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTIONS 2, 3 AND 10.3 OF PORT ORDINANCE NO. 1149 RELATING TO CHARGES FOR USE OF FACILITIES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT", and Port Ordinance No. _____ being, "AN ORDINANCE ADDING SECTION 5.105 TO PORT ORDINANCE NO. 867 CREATING ONE POSITION OF COMMUNITY INFORMATION REPRESENTATIVE", and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING ITEM NO. 2698 OF PORT ORDINANCE NO. 964 RELATING TO CONTAINER CRANE ASSIGNMENTS AND RENTAL RATES," and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT OF OAKLAND TOWARD THE COST OF EMPLOYEE GROUP HEALTH INSURANCE," and Port Ordinance No. _____ being, "AN ORDINANCE AMENDING SECTIONS 7.17 AND 8.144 TO PORT ORDINANCE NO. 867 CREATING ONE ADDITIONAL POSITION OF SENIOR SECRETARY, CHANGING THE SALARY OF AIRPORT BUSINESS ASSISTANT AND CREATING ONE POSITION OF ASSOCIATE PROGRAMMER AND ONE POSITION OF JUNIOR ENVIRONMENTAL PLANNER," were read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Gainor, Mortensen, Soda and President Walters - 5

Noes: None

Absent: Commissioners Connolly and Lange - 2

At the hour of 3:40 p.m. the meeting was adjourned until Wednesday, December 8, 1976 at the hour of 2:00 p.m. in the office of the Board.

* *

The meeting was reconvened on Wednesday, December 8, 1976, at the hour of 3:19 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding.

Commissioners present: Berkley, Connolly, Lange and President Walters - 4

Commissioners absent: Gainor, Mortensen and Soda - 3

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Deputy Port Attorney James E. Allen; Chief Engineer; Manager, Air Traffic Development; and Secretary of the Board.

Award of Contract for Furnishing and Delivering Airport Lighting Equipment was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board of the three bids received and recommending award of the contract to the Crouse-Hinds Company, the low bidder at $213,498.30. The recommendation was approved on passage of Resolution No. 23586.

Port Opposition to Certain Air Carriers Route Realignment Proposals was the subject of a memo to the Board from the Director of Aviation, notifying the Board of the intent of the Port to answer certain applications before the Civil Aeronautics Board and recommending that the Executive Director be authorized to file answers in opposition when, in his judgement, the carrier's application would not be in the best interest of the Port of Oakland. The recommendation was approved on passage of Resolution No. 23587.

Travel Authorization contained in a memo to the Board from the Executive Director, recommended the travel of the Executive Director, Deputy Executive Director, and Director of Aviation to Atlanta, Georgia and Miami, Florida, on or about December 12, 1976 to meet with certain airlines. The recommendation was approved on passage of Resolution No. 23590.

Yellow Cab Company, Lease of Air Cargo Building and Taxicab Concession at the Airport and Airport Transit Ground Transportation Concession at the Airport was the subject of a letter to the Board from the Port Attorney, notifying the Board that Yellow Cab Company of Alameda County ceased providing taxicab services at the Airport and is delinquent in fees due the Port in the amount of $1,305.91. Additionally, Yellow Cab Company is delinquent in the sum of $2,485.61 on the Air Cargo Building premises. It was recommended that the Port Attorney be authorized to deliver to Yellow Cab Company of Alameda County notice of default and termination should its default not be cured during the time period allowed and that notice of default and termination be also issued on the Air Cargo Building premises. It was also noted that Airportransit has also ceased providing ground transportation and it was recommended that appropriate notice of default be issued to Airportransit. The recommendation was approved on passage of Resolution No. 23591, for notice to Yellow Cab Company of Alameda County, Resolution No. 23592 for Airportransit and Resolution No. 23593 for Yellow Cab's Air Cargo Building operation.

Airport Limousine Service was the subject of a memo to the Board from the Manager, Air Traffic Development, notifying the Board of the cease in operations by Airportransit and that Bay Area Limousine and Bus Service, a Port tenant, has offered to provide services on schedule similar to those provided by Airportransit. It was recommended that the Port enter into a thirty-day agreement with the firm to provide the transportation service to the Airport. The guarantee would be $336 per day for approximately twenty-five days and $224 for the two holidays and two Saturdays, which would be offset in part by the revenue produced. The recommendation was approved on a motion by Commissioner Connolly, seconded and passed unanimously.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Lange and President Walters - 4

Noes: None

Absent: Commissioners Gainor, Mortensen and Soda - 3

"RESOLUTION NO. 23586

RESOLUTION AWARDING CONTRACT TO CROUSE-HINDS COMPANY TO FURNISH AND DELIVER AIRPORT LIGHTING EQUIPMENT, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT (AIRPORT DEVELOPMENT AID PROGRAM 6-06-0170-06); FIXING THE AMOUNT OF BOND TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID SECURITIES TO BIDDERS."

"RESOLUTION NO. 23587

RESOLUTION AUTHORIZING FILING WITH CIVIL AERONAUTICS BOARD OF ANSWERS IN OPPOSITION TO CERTAIN APPLICATIONS OF AIR CARRIERS FOR ROUTE REALIGNMENT."

"RESOLUTION NO. 23588

RESOLUTION FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PERFORM CERTAIN WORK WITHOUT COMPETITIVE BIDDING, AUTHORIZING THE PERFORMANCE THEREOF AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH." (REDREDGING OF BERTHS 2 AND 3, OUTER HARBOR TERMINAL)

"RESOLUTION NO. 23589

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH JAPAN LINE, LTD., KAWASAKI KISEN KAISHA, LTD., MITSUI O.S.K. LINES, LTD. AND YAMASHITA-SHINNIHON STEAMSHIP CO., LTD."

"RESOLUTION NO. 23590

RESOLUTION AUTHORIZING CERTAIN TRAVEL."

"RESOLUTION NO. 23591

RESOLUTION AUTHORIZING PORT ATTORNEY TO DELIVER TO YELLOW CAB COMPANY OF ALAMEDA COUNTY NOTICE OF DEFAULT UNDER LICENSE AND CONCESSION AGREEMENT."

"RESOLUTION NO. 23592

RESOLUTION AUTHORIZING PORT ATTORNEY TO DELIVER TO AIRPORTRANSIT NOTICE OF ITS DEFAULT UNDER ITS LICENSE AND CONCESSION AGREEMENT."

"RESOLUTION NO. 23593

RESOLUTION AUTHORIZING PORT ATTORNEY TO DELIVER TO YELLOW CAB COMPANY NOTICE OF ITS DEFAULT UNDER LEASE OF AIR CARGO BUILDING PREMISES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT."

At the hour of 3:24 p.m. the meeting was adjourned until Wednesday, December 15, 1976, at the hour of 1:00 p.m., in Conference Room B of the Port Building.

* *

The meeting was reconvened on Wednesday, December 15, 1976 at the hour of 1:00 p.m. in Conference Room B of the Port Building, President Walters presiding.

Commissioners present: Berkley, Gainor, Soda and President Walters - 4

Commissioners absent: Lange, Connolly and Mortensen - 3

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Chief Engineer; Director of Aviation; Manager, Properties Department; Commercial Representative; Public Relations Director; and Secretary of the Board.

There was no business to come before the Board and the meeting was adjourned at the hour of 1:05 p.m.

Secretary

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

CITY OF OAKLAND

The meeting was held on Wednesday, December 15, 1976, at the hour of 2:14 p.m. in the office of the Board, Room 376, 66 Jack London Square, President Walters presiding, due written notice having been given to members of the Board.

Commissioners present: Connolly, Gainor, Lange, Mortensen and President Walters - 5

Commissioners absent: Berkley and Soda - 2

Also present were the Executive Director; Deputy Executive Director; Assistant to the Executive Director; Port Attorney; Deputy Port Attorney Joe Colbath; Chief Engineer; Assistant Chief Engineer; Senior Engineer Paul Sorenson; Director of Aviation; Airport Manager; Commercial Representative, North Field; Director of Fiscal Affairs; Manager, Properties Department; Commercial Representative; Properties Representative John Ablan; Public Relations Director; and Secretary of the Board.

Visitors attending the meeting included Mr. Frank Giuliano, representing Caffe Lido; Mr. John Murphy and Ms. Janet Lucasey, representing The Mast Restaurant; Mr. Arne Hersoux, representing Air Charter West; and Ms. Shelley Brenner representing Oakland Study Center.

Minutes of the regular meeting of November 17, 1976 were approved as submitted and ordered filed.

Proposed Lease Amendment--Caffe Lido was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board that the operator of Caffe Lido has requested an amendment to his lease to allow for certain business expansion opportunities. It was recommended the Board approve an amendment to provide for the construction of a 100 square foot expansion to the premises; a change

Board of Port Commissioners Meeting
Action
JAN 5 1977
Notes
Secretary
APPROVED AS SUBMITTED
AND ORDERED FILED

in the use clause to allow for the sale of a maximum of four hot food entrees; and to provide delivery service. Additionally recommended was approval for a provision to be added requiring the removal of the building if requested by the Port. The recommendation was approved on a motion by Commissioner Connolly seconded and passed unanimously. It was also noted that a report would be made on the food service after four months of operation.

Assignment of Mast Restaurant Sub-Sublease was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for the assignment of the Mast sub-sublease to Janet Y. Lucasey and John M. Murphy. Also contained in the granting of approval were certain conditions to strengthen the Port's position on the Mardeco lease. The recommendation was approved on a passage of Resolution No. 23615.

Approval to Dispense with Formal Bidding Procedures in the Repair of Fire Damage at the Terminal Building was the subject of a memo to the Board from the Assistant Chief Engineer, notifying the Board of the recent fire in the Airport Terminal Building and of meetings with the Port's insurance carrier to determine the best method to proceed with the repair work. It was recommended the Board declare it to be in the best interests of the Port to dispense with formal bidding and authorize the Chief Engineer to negotiate a contract with W. A. Rose Company, as recommended by the Harbor Insurance Company, to perform the fire damage repairs on a time and materials basis. The recommendation was approved on passage of Resolution No. 23594.

Ready Car Lot Leases--Avis, Hertz, and National were transmitted to the Board by letter from the Port Attorney accompanied with a memo from the Manager, Properties Department, recommending approval of the leases for joint occupancy of the ready-car lot at the Airport. The leases provide for the rental of 50 stalls by Avis at $650 per month; 75 stalls by Hertz at $975

per month; and 30 stalls by National at $390 per month. It was also noted that the fourth occupant of the lot, Dollar Rent A Car Systems, has previously executed a lease. The recommendation was approved on an ordinance passed to print for the three companies.

Award of Contract for Printing Flight Selector for the Period January 16, 1977 through January 15, 1978 was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board of the one bid received and recommending award of the contract to Abbey Press, Inc., the bidder, in the amount of $1,785.00 for the 25,000 copies issued and $68.00 per 1,000 copies for additional copies. The recommendation was approved on passage of Resolution No. 23595.

Transportation Display, Inc. Request for Public Service Display in Airport Terminal was the subject of a memo to the Board from the Airport Manager, recommending approval for the placement of the public service display at the Airport. The recommendation was approved on passage of Resolution No. 23596.

License Agreement Renewal--Kaiser was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their agreement for space in Building L-710 for use as their corporate aircraft base at a total monthly rental of $2,299.95. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

License Agreement Renewal--Kimair was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to renew their agreement for space in Building L-721 for use in their aviation supply business at a total monthly rental of $879.10. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Adjustment of Counter Rentals--Auto Rental Companies was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to increase the rentals to $268.20

per month each which increase adjusts to the recent increase for the airline ticket counters. The recommendation was approved on an ordinance passed to print.

New License Agreement--Johnson & Joseph Sailing Center was the subject of a memo to the Board from the Manager, Properties Department, recommending approval of a new agreement with Mar Industries, Inc., dba Johnson and Joseph Company Sailing Center for space in Building P-107 at a minimum rental of $406 against 5% of the retail sales. The firm was a previous sub-tenant of the Oakland Marina and is in the sailmaking business and sale of small boats. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Hotel Marketing was the subject of a memo to the Board from the Manager, Properties Department, recommending approval to initiate a marketing program for the development of a new hotel in Jack London Square. After discussion, on a motion by Commissioner Lange to approve the concept failed to pass on the following vote: Ayes - Commissioners Connolly, Lange, and Mortensen - 3; Noes - Commissioners Gainor and President Walters - 2; Absent: Commissioners Berkley and Soda - 2. During further discussion, a motion by Commissioner Connolly, seconded and passed unanimously, approved the concept with all areas of Jack London Square to be considered and certain adjacent areas to be included also. It was noted that the marketing plan for the development would be presented to the Board for approval.

Amendment of Jack London Village Sublease was the subject of a memo to the Board from the Manager, Properties Department, recommending approval for the assignment of The Chandlery candle shop to Helen E. Woller and Barbara Erfani from Steven L. Debnam. Also recommended was approval for a change in location for the London Glass Works. The recommendation was approved on passage of Resolution No. 23613 for assignment of lease and Resolution No. 23614 for amendment to sublease.

Amendment to License Agreement with Alameda for City Line Road was the subject of a memo to the Board from the Deputy Executive Director, recommending approval to extend the option agreement by two months to allow for proper review by the Economic Development Administration The recommendation was approved on passage of Resolution No. 23597.

The Deputy Executive Director notified the Board that the Oakland Yacht Club was considering moving their location to Alameda and was requesting that the Port provide them with the requirements for continued occupancy in the redevelopment of the Embarcadero Cove. It was recommended the Club be given three options for their consideration at this time in the negotiations: (1) A Land Lease Area upon which the Club could construct a building; (2) a joint building to be constructed by the Port having certain public use amenities and harbor master office; and (3) the opportunity to rent certain space in one of the proposed restaurant buildings. After considerable discussion, Commissioner Mortensen moved that they be offered space in a commercially oriented building. The motion was seconded and further discussion produced a substitute motion by Commissioner Connolly to offer the Club at this time only, space in an all purpose building which could include public amenities, harbor master office, commercial space and office space. The substitute motion was seconded and passed unanimously.

Port of Oakland Tariff Changes: (1) Space Assignment Rates; (2) Container Crane Rental Rates was the subject of a memo to the Board from the Traffic Manager and Manager of Marine Terminals, recommending approval to establish certain rates for office space and establishing rates and rules for Cranes 1, 2 and 3 that are operated by Marine Terminals. The recommendation was approved on passage of an ordinance passed to print.

Award of Contract for Construction of Wharf Track and Storage Track, Berth 4 was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the

four bids received and recommending award of the contract to Industrial Railways Co., the low bidder, at $22,284.56. The recommendation was approved on passage of Resolution No. 23598.

Award of Contract for Construction of Container Freight Station Building E-223 was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, notifying the Board of the twelve bids received and recommending award of the contract to the M.G.C. Company, the low bidder, at $892,814. The recommendation was approved on passage of Resolution No. 23616.

Plans and Specifications for Relocation of Terminal Facilities from Berth B, Middle Harbor to Berth 4, Outer Harbor was the subject of a memo to the Board from Port Supervising Engineer J. L. Lambert, recommending their approval and authority to advertise for bids to move the facilities to the Outer Harbor area. The environmental impact report for the project has previously been considered by the Board. The recommendation was approved on passage of Resolution No. 23610.

Amendment to Seatrain/APL/Port Agreement for Additional Improvements at the Middle Harbor Terminal was the subject of a memo to the Board from the Assistant Chief Engineer, recommending that the Board approve an amendment which provides for the Port to secure the easement from Western Pacific Railroad Company and construct the roadway depending upon the availability of financing through the construction fund money allocated to the project or through other funds established by APL. The proposed roadway would provide access to the new container freight station. The recommendation was approved on passage of Resolution No. 23617.

Port of Oakland Tariff Charges Wharfage - Empty Containers was the subject of a memo to the Board from the Traffic Manager and Manager of Marine Terminals, recommending approval to amend the Port's tariff by eliminating the wharfage charges on certain empty vans. The recommendation was approved on an ordinance passed to print.

Series N, Refunding Bonds was the subject of a memo to the Board from the Deputy Executive Director, notifying the Board that the present bond market is favorable to the Port and it would be advantageous to refund the Port Series M Revenue Bonds. The Bonds were structured to permit an early redemption in the event the Board decided on an early call of the issue. If the refunding bonds were sold at a favorable rate the total approximate savings in interest costs could be $4.9 million. It was recommended the Board approve the refunding bonds proposal and approve the use of Dan Belmont of Hornblower & Weeks-Hemphill, Noyes and Joseph Hughes of Orrick, Herrington, Rowley & Sutcliffe to prepare the necessary documents for approval by the Board on February 2, 1977. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Affirmative Action Program was the subject of a memo to the Board from the Port Staff Analyst, notifying the Board that it was desirable to amend the program by requiring that the proposed affirmative action plan be included in the bid documents submitted by bidders, and at that time the bidders would commit themselves to the goal of 50% minority utilization and all other requirements, terms and conditions contained in the bid documents. The present method of requiring only the apparent low bidder to submit an affirmative action plan makes it possible for such bidder to effectively withdraw his bid without a penalty. The recommendation was approved on passage of Resolution No. 23599.

Proposed Agreement Extensions Between the City of Oakland and the Port of Oakland for CETA Title II and Title VI Programs was the subject of a memo to the Board from the Deputy Executive Director, recommending that the Executive Director be authorized to sign CETA Title II and Title VI Program Agreement Extensions which cover the programs through February 1977 and will allow for reimbursement of expenditures incurred on accounts since July 1,

1976. The recommendation was approved on passage of Resolution No. 23620.

Second Layer of General Liability Insurance was the subject of a memo to the Board from the Manager, Properties Department, notifying the Board of the first $5,000,000 layer of the Port's liability insurance coverage above the basic $1,000,000 coverage provided through a policy obtained through the California Association of Port Authorities in participation with six other California ports and that the insurance was at an annual premium cost of $12,345. The CAPA insurance broker has submitted a quotation to renew the insurance at an annual premium not to exceed $72,020. It was recommended that the Port participate in the CAPA program of insurance to avoid any risk in lapse of coverage. After discussion, the recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Award of Contract for Printing and Delivering the Progress News-Notes for the Period Commencing January 1, 1977 and Ending January 21, 1978 was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board of the five bids received and recommending award of contract to Abbey Press, Inc., the low bidder, at $1,748.00 per 15,000 copies of 8 pages and $110.00 per thousand for copies over the 15,000. The recommendation was approved on passage of Resolution No. 23600.

Amended Guidelines for Implementation of the California Environmental Quality Act of 1970 was the subject of a memo to the Board from the Port Environmental Planner, recommending approval to amend the Guidelines to reflect the recent State laws and other changes that have occurred in the State Guidelines. The recommendation was approved on passage of an ordinance to print.

Personnel Items contained in a memo to the Board from the Port Employee Relations Officer, recommended the appointment of Robert L. Winn, as Airport Serviceman, effective December 8, 1976,

at $1593 per month; Sonia S. Bolanos, as Youth Aide, effective December 9, 1976, at $3.58 per hour; and Jacqueline L. Arnold, as Telephone Operator, effective December 16, 1976, at $777 per month. Also recommended was the reclassification of one position of "Stenographer Clerk" to "Intermediate Typist Clerk"; and a salary increase for Stanley M. Burns and Ekundayo A. Sowunmi to rate "d" of salary schedule 56, in recognition of extra duties being performed. Further recommended was the termination of employment for Rogel T. Umali, CETA Construction Aide, and Elsie M. Berry, Janitress, both effective December 16, 1976. The recommendation was approved on passage of Resolution No. 23601 for appointment; Resolution No. 23602 for salary increase; and Resolution No. 23603 and Resolution No. 23604 for terminations.

Award of Contract for Furnishing and Delivering a Single Tool Hydraulic Power Unit was the subject of a memo to the Board from the Manager, Purchasing Department, notifying the Board of the two bids received and recommended the award of the contract to Ricker Machinery Co., the low bidder, at $5,788.28. The recommendation was approved on passage of Resolution No. 23605.

Renewal of Contract with John R. Wendt was the subject of a memo to the Board from the Deputy Executive Director, recommending that his contract be renewed for the 1977 calendar year with a basic compensation of $1650 per month and an additional $150 a month toward his office expenses. The recommendation was approved on a motion by Commissioner Lange, seconded and passed unanimously.

Claim of Jayne M. LaGrave was the subject of a letter to the Board from the Port Attorney, notifying the Board of the claim in the amount of $3,950.05 for alleged damages occurring at the Airport. A review of the incident shows that it is not a proper charge against the Port and it was recommended the claim be denied. The recommendation was approved on passage of Resolution No. 23606.

Claim of Nancy K. Correia was the subject of a letter to the Board from the Port Attorney, notifying the Board of a claim for alleged damages in the amount of $84.42 occurring at the Airport. A review of the incident shows no liability on the part of the Port and it was recommended the claim be denied. The recommendation was approved on passage of Resolution No. 23607.

World Airways, Inc. v. Civil Aeronautics Board, United States Court of Appeals for the District of Columbia Circuit, No. 76-1072 was the subject of a letter to the Board from the Port Attorney, notifying the Board of the history of the case and that the Court of Appeals has ruled in favor of World Airways. The application of World Airways will be remanded to the Civil Aeronautics Board for further proceedings not inconsistent with the Court's opinion. The information was noted and ordered filed.

At the hour of 3:05 p.m. the Board entered into an executive session with the Port Attorney on legal matters and reconvened in open session at the hour of 3:58 p.m., during which time Commissioner Mortensen was excused from the meeting.

The following reports were noted and ordered filed:

Summary of Cash - Port Revenue and Construction Accounts as of December 7, 1976.

Summary of Cash and Accounts Receivable Port Revenue Fund #801 for the Month of November 1976.

Accounts Receivable 35 Days or More in Arrears as of December 15, 1976.

Accounts Receivable Referred to Port Attorney as of December 15, 1976.

Accounts Receivable Other Departments as of December 15, 1976.

Accounts Receivable in Process to Legal.

Summary of Claims Paid from Various Funds for the Period November 17, 1976 through December 3, 1976.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Connolly, Gainor, Lange and President Walters - 4

Noes: None

Absent: Commissioners Berkley, Mortensen and Soda - 3

"RESOLUTION NO. 23594

RESOLUTION FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE PORT TO PERFORM CERTAIN WORK WITHOUT COMPETITIVE BIDDING AND AUTHORIZING THE PERFORMANCE THEREOF. (REPAIR OF FIRE DAMAGE TO TERMINAL BUILDING, METROPOLITAN OAKLAND INTERNATIONAL AIRPORT)."

"RESOLUTION NO. 23595

RESOLUTION AWARDING CONTRACT TO ABBEY PRESS, INC. FOR PRINTING, FOLDING AND DELIVERING THE PORT OF OAKLAND FLIGHT SELECTOR FOR THE PERIOD COMMENCING JANUARY 16, 1977 AND ENDING JANUARY 15, 1978 AND FIXING THE AMOUNT OF BOND TO BE PROVIDED IN CONNECTION THEREWITH."

"RESOLUTION NO. 23596

RESOLUTION GRANTING APPROVAL TO AIRPORT ADVERTISING CO. FOR PUBLIC SERVICE DISPLAY."

"RESOLUTION NO. 23597

RESOLUTION AUTHORIZING EXECUTION OF FIRST SUPPLEMENTAL AGREEMENT WITH CITY OF ALAMEDA."

"RESOLUTION NO. 23598

RESOLUTION AWARDING CONTRACT TO INDUSTRIAL RAILWAYS CO. FOR CONSTRUCTION OF WHARF TRACK AND STORAGE TRACK, BERTH 4, OUTER HARBOR TERMINAL; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23599

AMENDING PORT OF OAKLAND EQUAL EMPLOYMENT OPPORTUNITY POLICY."

"RESOLUTION NO. 23600

RESOLUTION AWARDING CONTRACT TO ABBEY PRESS, INC. FOR PRINTING AND DELVERING THE PORT OF OAKLAND PROGRESS NEWS-NOTES FOR THE PERIOD COMMENCING JANUARY 1, 1977 AND ENDING DECEMBER 31, 1977; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING OTHER BIDS; AND DIRECTING RETURN OF BID SECURITIES TO BIDDERS."

"RESOLUTION NO. 23601

RESOLUTION CONCERNING CERTAIN APPOINTMENTS."

"RESOLUTION NO. 23602

RESOLUTION ASSIGNING EMPLOYEES AND FINDING THEM TO BE ENTITLED TO CERTAIN RATES WITHIN SALARY SCHEDULES FIXED BY PORT ORDINANCE NO. 867."

"RESOLUTION NO. 23603

RESOLUTION TERMINATING APPOINTMENT OF ROGEL T. UMALI."

"RESOLUTION NO. 23604

RESOLUTION TERMINATING APPOINTMENT OF ELSIE M. BERRY."

"RESOLUTION NO. 23605

RESOLUTION AWARDING CONTRACT TO RICKER MACHINERY COMPANY FOR FURNISHING AND DELIVERING A SINGLE TOOL HYDRAULIC POWER UNIT TO THE PORT OF OAKLAND; FIXING THE AMOUNT OF BOND TO BE PROVIDED IN CONNECTION THEREWITH; AND REJECTING THE OTHER BID."

"RESOLUTION NO. 23606

RESOLUTION REJECTING CLAIM OF JAYNE M. LaGRAVE."

"RESOLUTION NO. 23607

RESOLUTION REJECTING CLAIM OF NANCY K. CORREIA."

"RESOLUTION NO. 23608

RESOLUTION APPROVING COMPENSATION AND EXPENSES OF SPECIAL COUNSEL." (ZUCKERT, SCOUTT & RASENBERGER)

"RESOLUTION NO. 23609

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL." (CROSBY, HEAFEY, ROACH & MAY)

"RESOLUTION NO. 23610

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR RELOCATION OF TERMINAL FACILITIES FROM BERTH B, MIDDLE HARBOR TERMINAL, TO BERTH 4, OUTER HARBOR TERMINAL, AND CALLING FOR BIDS THEREFOR."

"RESOLUTION NO. 23611

RESOLUTION REQUESTING THE CITY COUNCIL TO RECOMMEND TO THE CIVIL SERVICE BOARD THE EXEMPTION FROM THE OPERATION OF CIVIL SERVICE RULES OF THE POSITION OF COMMUNITY INFORMATION REPRESENTATIVE UNDER THE JURISDICTION OF THE BOARD OF PORT COMMISSIONERS AND REQUESTING THE CIVIL SERVICE BOARD TO EXEMPT THE SAID POSITION FROM THE OPERATION OF CIVIL SERVICE RULES UPON THE RECOMMENDATION OF THE CITY COUNCIL."

"RESOLUTION NO. 23612

RESOLUTION APPROVING BONDS OF ARONS BUILDING WRECKING CO."

"RESOLUTION NO. 23613

RESOLUTION CONSENTING TO ASSIGNMENT OF SUBLEASE OF OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23614

RESOLUTION CONSENTING TO AMENDMENT OF SUBLEASE BY OAKLAND VILLAGE CORPORATION."

"RESOLUTION NO. 23615

RESOLUTION CONSENTING TO ASSIGNMENT OF SUB-SUBLEASE BY KJELD SORENSEN AND DORIS SORENSEN TO JANET Y. LUCASEY AND JOHN M. MURPHY."

"RESOLUTION NO. 23616

RESOLUTION AWARDING CONTRACT TO M. G. C. CO. FOR CONSTRUCTION OF CONTAINER FREIGHT STATION BUILDING E223, MIDDLE HARBOR TERMINAL; FIXING THE AMOUNT OF BONDS TO BE PROVIDED IN CONNECTION THEREWITH; REJECTING ALL OTHER BIDS; AND DIRECTING RETURN OF BID BONDS TO BIDDERS."

"RESOLUTION NO. 23617

RESOLUTION AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT TO AGREEMENT ON ADDITIONAL IMPROVEMENTS WITH SEATRAIN TERMINALS OF CALIFORNIA, INC. AND AMERICAN PRESIDENT LINES, LTD."

"RESOLUTION NO. 23618

RESOLUTION APPROVING BONDS OF SMITH-RICE COMPANY."

"RESOLUTION NO. 23619

RESOLUTION AUTHORIZING EXECUTION OF CERTAIN LICENSE AND CONCESSION AGREEMENTS."

"RESOLUTION NO. 23620

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH THE CITY OF OAKLAND."

Port Ordinance No. 2034 being, "AN ORDINANCE AMENDING SECTIONS 5.03 AND 10.022 OF, AND ADDING SECTIONS 7.17 AND 8.144 TO, PORT ORDINANCE NO. 867 CREATING ONE ADDITIONAL POSITION OF SENIOR SECRETARY, CHANGING THE SALARY OF AIRPORT BUSINESS ASSISTANT AND CREATING ONE POSITION OF ASSOCIATE PROGRAMMER AND ONE POSITION OF JUNIOR ENVIRONMENTAL PLANNER," and Port Ordinance No. 2035 being, "AN ORDINANCE AMENDING SECTION 2 OF PORT ORDINANCE NO. 1166 RELATING TO THE CONTRIBUTIONS OF THE PORT OF OAKLAND TOWARD THE COST OF EMPLOYEE

GROUP HEALTH INSURANCE," and Port Ordinance No. 2036 being, "AN ORDINANCE AMENDING ITEM NO. 2698 OF PORT ORDINANCE NO. 964 RELATING TO CONTAINER CRANE ASSIGNMENTS AND RENTAL RATES," and Port Ordinance No. 2037 being, "AN ORDINANCE ADDING SECTION 5.105 TO PORT ORDINANCE NO. 867 CREATING ONE POSITION OF COMMUNITY INFORMATION REPRESENTATIVE," were read a second time and finally adopted by the following vote:

Ayes: Commissioners Connolly, Gainor, Lange and President Walters - 4

Noes: None

Absent: Commissioners Berkley, Mortensen and Soda - 3

Port Ordinance No. ____ being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH THE HERTZ CORPORATION," and Port Ordinance No. ____ being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH NATIONAL CAR RENTAL SYSTEM, INC.," and Port Ordinance No. ____ being, "AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH AVIS RENT-A-CAR SYSTEM, INC.," and Port Ordinance No. ____ being, "AN ORDINANCE AMENDING ITEMS NOS. 833, 2650, 2655 AND 2695 AND REPEALING ITEM NO. 2695-A OF PORT ORDINANCE NO. 964 RELATING TO WHARFAGE RATES, SPACE ASSIGNMENTS AND CONTAINER CRANE ASSIGNMENTS AND RENTAL RATES," and Port Ordinance No. ____ being, "AN ORDINANCE ADOPTING PORT OF OAKLAND GUIDELINES FOR THE IMPLEMENTATION OF THE CALIFORNIA ENVIROMENTAL QUALITY ACT OF 1970, ESTABLISHING FEES FOR EVALUATION OF PROJECTS, PREPARATION OF ENVIRONMENTAL DOCUMENTS, COPYING SAID DOCUMENTS, PROVIDING CERTAIN REGULATIONS IN CONNECTION THEREWITH AND REPEALING PORT ORDINANCE NO. 1840," and Port Ordinance No. ____ being, "AN ORDINANCE AMENDING SECTION 5.14 OF PORT ORDINANCE NO. 867 CREATING ONE ADDITIONAL POSITION OF INTERMEDIATE TYPIST CLERK," and Port Ordinance No. ____ being, "AN ORDINANCE FIXING RENTAL CHARGES FOR COUNTER SPACE AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT OCCUPIED BY CERTAIN CAR RENTAL AGENCIES AND REPEALING PORT ORDINANCE NO. 1972," were read the first time and passed to print by the following vote:

Ayes: Commissioners Connolly, Gainor, Lange and President Walters - 4

Noes: None

Absent: Commissioners Berkley, Mortensen and Soda - 3

At the hour of 4:00 p.m. the meeting was adjourned until Wednesday, December 22, 1976, at the hour of 1:00 p.m. in Conference Room B, Port Building.

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The meeting was reconvened on Wednesday, December 22, 1976, at the hour of 1:00 p.m., in Conference Room B of the Port Building, President Walters presiding.

Commissioners present: Berkley, Connolly, Gainor, Lange, Mortensen and President Walters - 6

Commissioners absent: Commissioner Soda - 1

Also present were the Executive Director; Deputy Executive Director; Port Attorney; and Secretary of the Board.

Approval for Sea-Land Service, Inc. to Reconstruct Reefer Outlet Enclosures, Outer Harbor Terminal was the subject of a memo to the Board from the Assistant Chief Engineer, recommending approval for the replacement of the present free-standing reefer outlets with new low profile steel and concrete enclosures. The work will be done by a contractor employed by Sea-Land at no cost to the Port. The project is categorically exempt and an environmental impact report is not required. The recommendation was approved on passage of Resolution No. 23621.

Yellow Cab Company - Lease of Air Cargo Building and Taxicab Concession at the Metropolitan Oakland International Airport was the subject of a letter to the Board from the Port Attorney, notifying the Board that Yellow Cab Company had been served with a notice of default for rent due and that the default has not been cured. It was recommended that the Board declare the lease forfeited for

default in payment of rent and the Port Attorney be authorized to regain possession of the premises. It was also recommended that the Board declare forfeiture of Yellow Cab Company of Alameda County's license and concession agreement at the Airport for failure to cure its notice of default for unpaid consideration due the Port. The recommendation was approved on passage of Resolution No. 23622 for Yellow Cab Company of Alameda County and Resolution No. 23623 for Yellow Cab Company.

The following resolutions were introduced and passed separately by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Mortensen and President Walters - 6

Noes: None

Absent: Commissioner Soda - 1

"RESOLUTION NO. 23621

RESOLUTION GRANTING SEA-LAND SERVICE, INC. PERMISSION TO PERFORM CERTAIN WORK."

"RESOLUTION NO. 23622

RESOLUTION DECLARING FORFEITURE OF LICENSE AND CONCESSION AGREEMENT WITH YELLOW CAB COMPANY OF ALAMEDA COUNTY AND AUTHORIZING FILING OF ACTION BY PORT ATTORNEY FOR UNPAID CONSIDERATION."

"RESOLUTION NO. 23623

RESOLUTION DECLARING FORFEITED LEASE TO YELLOW CAB COMPANY OF AIR CARGO BUILDING PREMISES AT METROPOLITAN OAKLAND INTERNATIONAL AIRPORT AND AUTHORIZING FILING OF ACTION BY PORT ATTORNEY."

"RESOLUTION NO. 23624

RESOLUTION APPROVING COMPENSATION OF SPECIAL COUNSEL."

"RESOLUTION NO. 23625

RESOLUTION APPROVING BOND OF CROUSE-HINDS COMPANY."

"RESOLUTION NO. 23626

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH JOHN R. WENDT."

"RESOLUTION NO. 23627

RESOLUTION REPEALING RESOLUTION NO. 23573 APPOINTING LaVERNE C. JUAREZ TO THE POSITION OF LEGAL STENOGRAPHER."

Port Ordinance No. ____ being, "AN ORDINANCE AUTHORIZING EXECUTION OF SECOND SUPPLEMENTAL AGREEMENT WITH MITSUI O.S.K. LINES, LTD., AND YAMASHITA-SHINNIHON STEAMSHIP CO., LTD," was read the first time and passed to print by the following vote:

Ayes: Commissioners Berkley, Connolly, Gainor, Lange, Mortensen and President Walters - 6

Noes: None

Absent: Commissioner Soda - 1

At the hour of 1:05 p.m. the Board entered into executive session and reconvened in open session at the hour of 2:55 p.m. at which time the meeting was adjourned.

Secretary